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The Development of the Church's Constitution

HISTORICAL MAGAZINE

OF THE
PROTESTANT EPISCOPAL CHURCH

CONTENTS

Colonial Clergy Conventions

By Edgar Legare Pennington

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The Making of the Church's Constitution:

State or Diocesan Conventions of the War and
Post-War Periods

By Walter Herbert Stowe

Interstate Meetings and General Conventions
of 1784, 1785, 1786 and 1789

By William Wilson Manross

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Constitutional Developments Since 1789

By Percy Varney Norwood

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"THE DEVELOPMENT OF THE CHURCH'S CONSTITUTION"

*Commemorating the 150th Anniversary of the
Adoption of the Church's Constitution
in 1789*

COLONIAL CLERGY CONVENTIONS

By Edgar Legare Pennington

COLONIAL CLERGY CONVENTIONS*

By Edgar Legare Pennington

EARLY in the history of the American Church, there were gatherings of the clergy held from time to time. While they were infrequent and irregular, even towards the end of the colonial period, they no doubt wielded a considerable influence and promoted a spirit of solidarity among those who participated in them. Besides, they afforded a certain experience in united endeavour which proved invaluable in those subsequent times when the Episcopal Church must rely on its own resources and face the problems of organisation and continuance without assistance from either the state or the British missionary societies. Spasmodic and informal as many of those convocations probably were, they brought the ministers together; they gave opportunity for conference, for discussion, and for the exchange of ideas; they impressed those present with the sense of common purpose and responsibility; and, lastly, they convinced the Anglican clergymen that in such gatherings there was strength. Prior to the War of the Revolution, the Church was established in some of the colonies and the support of the clergy was to some extent controlled by statute; in the other colonies, clerical stipends were in part subsidised by the Society for the Propagation of the Gospel in Foreign Parts. The missionaries of the Venerable Society rendered accounts of their parochial acts twice a year; it was to the S. P. G. that they were primarily responsible. So long as they proved faithful and trustworthy, the Society protected them in their living. Furthermore, the Society supported schoolmasters in the colonies, shipped thousands and thousands of books and tracts, and responded in other ways to the needs of the struggling churches. With the independence of the new world, this help was withdrawn, while in Virginia, where the Church was under government patronage, the glebe lands were confiscated and all tax levies for religious purposes discontinued. The Church, therefore, must work out its own destiny; it must meet the difficulties or suffer defeat. Faith, courage, and industry were not lacking; the story of the Church of

**(To GEORGE AARON BARTON, scholar, teacher, and prophet, this brochure is dedicated as a token of the author's esteem and affection, on the occasion of his eightieth birthday, 12th November, 1939.)*

the closing years of the Eighteenth Century is one of heroic enterprise and valiant effort. Yet in the organisation, the establishment, and the extension of the Church, clergy and laity turned to gatherings for consultation and legislation, and found them of tremendous value. The triennial General Conventions of the Church as a whole and the annual conventions, councils, and convocations of the various dioceses and missionary districts have long been accepted factors in the American ecclesiastical polity; none the less, we look for their origin in the convocations of colonial days.

I. VIRGINIA CONVENTIONS

Commissary James Blair called a convocation of the Virginia clergy at Jamestown in 1690. His commission from the Lord Bishop of London had been read by order of the Lieutenant Governor in Council; and the Council had returned to the Bishop "the humble thanks of this Board, for his pious Care in this affaire, and the reposeing the trust in one soe well deserveing thereof as the said Mr Blair is." Stories of loose living and general demoralisation had reached Doctor Blair's ears; he realised that the churches were widely scattered, and that many of the inhabitants of Virginia were not in close touch with spiritual influences. Hence the convocation was called in order to devise machinery for enforcing the Church laws. Steps were to be taken against "all Cursors, Swearers, and blasphemers, . . . all drunkards, ranters, and prophaners of the Lords day and all Contemnners of the sacraments, and against all other Scandalous persons, whether of the Clergy or Laity." To carry this out, Doctor Blair divided the province into four precincts; in each, a minister was appointed to act as the Commissary's deputy. He was to be the guardian of the morals of his precinct; and it was also his duty to summon the clergy under him twice a year, to sit in judgment upon the "Scandals and enormities committed within their jurisdiction." Blair also urged the clergy to take the initiative in the establishment of a college. "Although there were other prominent men in the colony, who supported the project of a college, the chief burden of its promotion fell upon Blair. He well deserves, therefore, the title of founder of the College of William and Mary."¹

It soon became evident that the people would not tolerate ecclesiastical discipline. Ministers did not dare bring charges against members of their congregations; in fact, they were often so completely under

¹E. G. Swem's article on James Blair, in *Dictionary of American Biography*, II., 335; *Executive Journals of the Council of Colonial Virginia*, I., 116.

the spell of their vestries that they would not preach against their vices.

In 1696, the Virginia Assembly, under pressure from England, increased the stipend of the clergy to 16,000 pounds of tobacco; this amount was to be paid to each minister. The ministers, however, were cumbered with unfavourable conditions in collecting and receiving their bulky stipends; besides, they found that unfair advantage was often taken of them. For instance, when the tobacco brought a high price, the clergy were compelled to accept payment in money instead of the commodity; the sum was estimated at a figure far below the current market. Furthermore, some of the ministers were not furnished with the parsonages and glebes, to which they were legally entitled; and even when there was technical compliance with the law, the glebes were inferior.

In June of that year, a convocation of the clergy protested to the Governor that the Burgesses, who had declared that they were doing well enough, had misrepresented their condition; they avowed that their state was deplorable. In their petition (June 25th), they referred to the King's gracious letters, aimed at settling their salary in money or tobacco at the current price, but they said that the House, instead of remedying the evil, made it appear that the clergy needed no redress and were well contented. They had been forced to receive tobacco at twelve shilling a hundred. "No other persons . . . obliged to take Tob^o at so high a rate. . . ." They received no perquisites except for marriages and a few funeral sermons—not more than five pounds a year. "Our Glebes which are so ornamentally described"—indeed many parishes possess no glebes. The ministers are frequently destitute of houses and orchards. "Wee hold these mean liveings so precariously that (not being inducted) Wee are at all times liable to be turn'd out of them, at the Vestry's pleasure without any Canonically Objections, either alledged or proved against us."

The Burgesses were infuriated at the protest, and pronounced the paper "a most malicious Scandalous and unjust" reflection upon them. Still the salaries of the clergy remained so inadequate as to offer little inducement for the better clergy to come over.²

During the controversy between Commissary Blair and Governor Francis Nicholson, twenty clergymen met at Williamsburg (August 25th, 1703). They joined in a petition upholding the Governor and opposing Doctor Blair; this they forwarded to the Bishop of London. They stated that they were pleased that the Queen had continued

²*Bancroft Transcript, English Colonies in America, in New York Public Library, I., 213-219.*

Nicholson in office. "His Excellency prefers the glory of God the Interest of the Church and the Publick good of the Colony before his owne private interest or advantage." Blair's behaviour toward the Queen's representative had brought contempt upon the clergy and had made members of the Church of England uneasy, they said; the Commissary had been disrespectful of the Governor. They also took occasion to complain of their precarious state, through the bad usage they had received from the vestries. Blair had sided with the vestries, against the opinion of the Governor.³

The clergy continued to hold their meetings. The accession of King George I called forth a message of greeting from them; so did the promotion of Doctor Edmund Gibson to the See of London. On the 7th of December, 1714, Governor Spotswood of Virginia reported to the Council that he had received an address from the clergy, which he read. In it, they acknowledged the many obligations which he had laid upon them ever since they had had the happiness of being under his government.

"We have all of us quietly enjoyed our livings without being removed or disturbed as in some former times at the pleasure of Vestrys, & that those livings which by the badness of the pay were sunk to little or nothing, begin now to be much more valuable, by your wise & just contrivance to keep up the Credit of the publick payments. . . ."⁴

These happy relations between the clergy and Governor Spotswood did not always prevail. On the 6th of August, 1718, Bishop Gibson wrote a letter to Commissary Blair, enclosing a communication to the clergy. He stated that he had requested the Governor to give him all assistance; and he should be glad to hear from the Commissary if there were any vacant churches, so that he might use his best endeavours to procure supply clergymen. To the clergy, the Bishop wrote that he had heard of some irregularities on their part; in fact, some had evidently been officiating in the colony who did not have episcopal ordination. He expected "a regular conformity to the liturgy from which none of us can depart without violating the solemn promise we made at our ordination."

A convocation of the clergy was opened at Williamsburg, April 8th, 1719. Doctor Blair called the roll, and proceeded to read the communications from the Bishop of London. The Commissary preached

³*MS. Rawlinson C., 933, fol. 40 (Library of Congress transcript).*

⁴*Executive Journals, Council of Colonial Virginia, III., 388-389.*

a sermon, in which he declared that the Governor did not fail to institute and induct the ministers into parishes when presentations were made; "but for want of these the clergy of this country have been upon a very precarious footing." Governor Spotswood was displeased at this criticism; and replied with an attack upon Doctor Blair. The Governor construed Bishop Gibson's letter as giving him the right of institution and induction; Doctor Blair contended that the ministers were undergoing hardships, because the vestries "are such enemies to induction that they will give no presentations, and our Governors have been so unwilling to disoblige the parishes that they have never taken the benefit of the lapse, so that the ministers generally officiate upon the election of the vestry, without presentation or induction." The clergy drew up a letter to the Bishop, charging that Commissary Blair had not been episcopally ordained. Services were infrequent, they said, and neglected; laymen were performing the duties of the ministers, allegedly because of the extremity of heat in the summer and the great distance from the ministers' habitations. The people observed no holy days save Christmas and Good Friday, being unwilling to leave their daily labour. The people were averse to the induction of the clergy "the want of which exposes us to the great oppression of the vestries, who act often arbitrarily, lessening and denying us our lawful salaries, —the opinion of the Attorney General being that we are incapable of taking the benefit of the law to oblige them to do justice, without that necessary qualification, or a compact." The Commissary, in his attempted visitations, they said, had "met with so many difficulties, from the churchwardens refusing to take the oath of a churchwarden or to make presentments, and from the general aversion of the people to everything that looks like a spiritual court." Doctor Blair refused to sign this letter.⁵

The passage of "An Act to enable the Inhabitants of this Colony to Discharge the Publick Dues, Officers Fees, & other Tobacco Debts, in Money, for the ensuing Year," on October 12th, 1758, was one of a series of modifications to an Act passed in 1749, all of which greatly diminished the revenues of the clergy and rendered their maintenance uncertain. On the surmise that the crop would be short, a rate of 16s. 8d. a hundred-weight was fixed as an optional sum; and parishes were allowed the privilege of paying their ministers in money instead of tobacco. The clergy had kept quiet, even though they recognised the injustice of the plan—their stipends having been established by

⁵William Meade: *Old Churches, Ministers, and Families of Virginia*, II., 393ff.; Sadler Phillips: *Early English Colonies*, p. 65.

law. At length, they convened, and drew up an address to the Crown, pleading their grievances. They prayed that the Act be declared null and void, and that instruction be sent to the Governor that no Act be passed repealing the Act of 1748, which had defined their rights and had received royal confirmation.⁶ It was out of this prolonged controversy over the clergy's rates that the celebrated Camm case arose, in which Patrick Henry was brought to the foreground.

The agitation for resident bishops in America received little support from Virginia; but at least one earnest effort was made in that province. It is evident that the original cause of the application came from the "United Convention of New York and New Jersey," which deputed two clergymen (Myles Cooper and Robert McKean) to visit the southern part of the continent, "for the purpose of securing the co-operation of their brethren in that region in procuring an American episcopate." Doctor James Horrocks, sixth president of William and Mary College and Commissary of the Bishop of London, promised his aid and influence in the matter, and called a meeting of the clergy at Williamsburg for the 4th of May, 1771. Only a small number answered the summons; and it was voted that the Commissary call a second meeting, first advertising the nature of the business in hand. Hence, a convention was opened on the 4th of June, attended by only twelve clergymen—an even smaller number than before. Whether or not such a minority could be deemed a convention was first debated; it was decided in the affirmative. It was determined inadvisable to address the King on the subject of an American episcopate, but it was unanimously agreed to refer the matter to the Bishop of London for his opinion and advice. Later the question of addressing the King was reconsidered; and, notwithstanding strong opposition, a committee was appointed to draw up an address to the King for an American episcopate. Two leading clergymen of the colony—the Reverend Thomas Gwatkin and the Reverend Samuel Henley, both professors in William and Mary College—registered a formal protest against the vote of the meeting; and the House of Burgesses passed a resolution of appreciation of the "Opposition they have made to the pernicious Project of a few mistaken Clergymen, for introducing an American Bishop; A Measure by which much Disturbance, great Anxiety, and Apprehension would certainly take place among his Majesty's faithful American Subjects."

These circumstances produced a coldness between the churchmen of Virginia and of the northern provinces. A letter was addressed to the Virginia Episcopalians by the "Convention of the Clergy of New York and New Jersey," urging that the jurisdiction of the proposed

⁶Fulham MSS., Va., Box II., #96 (Library of Congress transcript).

bishops would be purely spiritual, and they would not be empowered to interfere with the civil or religious privileges of the dissenters. Gwatkin published a reply; but it is not in the scope of this treatise to review the controversy.⁷

II. MARYLAND CONVENTIONS

When the Reverend Thomas Bray, Commissary for the Bishop of London in the province of Maryland, arrived, he immediately took in hand the problems of the Church. In Maryland, as well as in Virginia, the provisions for the maintenance of the clergy were disregarded, and ministers felt that they were inadequately supported. Doctor Bray found the Governor ready to concur in all proper methods for remedying the situation; but it was necessary that the Assembly act favourably in the matter. The same ship which had brought the worthy Commissary to Maryland had conveyed an order of Council disannulling the law for religion, thus depriving the clergy of the benefits of the poll. The Church was under the attacks of both Romanists and Quakers.

Prior to the meeting of the legislative body, Doctor Bray convened all the clergy on the Western Shore, that he might ascertain the general state of public sentiment and determine what measures would prove expedient. During the Assembly, he preached several sermons designed to show the importance of the law which he advocated; and consequently an Act, providing "that the Book of Common Prayer and administration of the Sacraments, with the rites and ceremonies of the Church, according to the use of the Church of England, the Psalter and the Psalms of David, and Morning and Evening Prayer therein contained, be solemnly read, and by all and every minister or reader, in every church, or other place of public worship, within this Province," was unanimously passed. It was further provided that a tax of forty pounds per poll be levied annually for the support of the clergy, the same to be collected by the sheriff and paid to the vestry. The vestry was defined, and its duties were prescribed. Provision was made for wedding fees. The law was enacted May 7th, 1700.⁸

Doctor Bray then proceeded to convene his clergy. He called them together at Annapolis, May 22nd; seventeen answered the roll call, and the business proceeded in orderly fashion. A charge was delivered by the Commissary. The object of the gathering was to con-

⁷A. L. Cross: *The Anglican Episcopate and the American Colonies*, pp. 230-240 (an excellent summary); *Protestant Episcopal Historical Collections*, 1851, p. 156.

⁸Perry: *Historical Collections, Maryland*, pp. 30-31.

sider the prevention of scandals in the clergymen who might enter the province, keeping them at their duty of catechising and preaching and visiting, and propagating "the true religion in the neighbouring provinces." The convention passed resolutions of gratitude to the Governor and to the Speaker of the House for their aid in re-establishing the Church in the province. There were formal resolutions as to catechising and preaching: "That we will make it our utmost Endeavour to cause all Children under the Age of nine Years, to learn the Church Catechism, as alsoe morning & Evening Prayer by heart; and to perswade the Parents of those that are not at too great a Distance from Church, to bring them thither to be publickly examined;" also, "that the same care be taken in instructing children between the ages of nine and thirteen (the "second class"); and "as to the 3^d Class, that we will endeavour all we can to perswade Soe many of the young people of our respective parishes, as possible, to read such Books as we shall advise them to, more particularly those that shall be judged most proper to instruct them in the Nature, Terms and Conditions of the Covenant of Grace; in order to introduce them to the Lord's Supper; and that in order to engage them betimes more effectually to a good life." Conferences were to be held for the benefit of the older pupils, at which, among other things, they should be taught to sing "the new Version of Psalms, according to the best Tunes". The clergy resolved to preach to their respective flocks "a Scheme of Divinity. . . . That we may more effectually Impress the great Doctrines of Christianity upon the minds of the people, as alsoe more Religiously observe the great Festivalls of our Church." They agreed to stress the necessity of Baptism; "finding the Prejudices of our People to be more against Godfathers and Godmothers than any other Institutions of our Church." The clergy also considered the means of keeping up the high moral tone of their office, since it was realised that the introduction of unworthy men had weakened the Church and subjected it to criticism. Missionary interest was manifested in the resolution, "out of our penury," to subscribe towards the support of one minister in the destitute sister Church of Pennsylvania, where the Quakers were a great and aggressive force. Commissary Blair of Virginia was to be notified to promote a similar subscription in his province.⁹

Encouraged by the spirit of this gathering, the Governor ordered that a general visitation be held annually on the first Wednesday after Low Sunday at Annapolis; and that each fall visitations should be held separately for the clergy on the Eastern Shore at York and for the clergy on the Western Shore at Annapolis. The significance of this

⁹*Fulham MSS., Maryland, #1 (Library of Congress transcript).*

early convocation of Maryland ministers, at the call of Doctor Bray, lies both in its frank avowal of the pastor's responsibility as a teacher and an example and in the fact that, as Francis Lister Hawks expressed it, this meeting gave birth to the first missionary effort made by any part of the Church in this continent.¹⁰

Bray soon left for England, and no successor of equal powers guided the Maryland Church. Of the clerical visitations of the next few years, little is known. They again come into prominence, however, during the administration of the Reverend Christopher Wilkinson and the Reverend Jacob Henderson, two able and industrious men. The former was Commissary for the Eastern Shore; the latter for the Western Shore. Both took office in 1716, and promptly convened the clergy of their respective jurisdictions. In spite of Governor John Hart's friendliness to the Church, the commissaries had a difficult time; and when their visitations seemed to take the form of a spiritual court, there was opposition. The Assembly and the people of the higher class were hostile to an established clergy and to the attempts to extend the jurisdiction of the Bishop of London. At Henderson's first visitation, the clergy advised the Commissary not to attempt to set up his jurisdiction.

Wilkinson convened the clergy of the Eastern Shore on the 25th of October, 1717. Seven attended. A letter of thanks to the Bishop of London was prepared; complaints concerning local conditions were made and discussed. The Bishop was asked to intercede with the Lord Proprietor to enjoin all governors to pass laws favourable to the Church, and to influence the gentlemen of authority to be more tenderly affected to the clergy and to support the Commissary, as well as to keep alive the good parishes and improve the poor ones.¹¹

There were twelve clergymen present at Henderson's first commissarial visitation at Annapolis, besides the Commissary. The clergy were asked to present their orders and licenses from the Bishop of London. This action brought on a dispute, which was afterwards settled. Articles of enquiry were delivered to the church-wardens, who were to assume their proper responsibility. These articles regarded the ministers and their fidelity, things pertaining to the churches, the morals of the parishioners, the orderly selection of church-officers, and the conduct and qualifications of the school-masters. Is the minister of sober life? Does he instruct the youth in the Catechism? Does

¹⁰*Acts of Dr. Bray's Visitation* (Hawks: *Historical Contributions*, II., 518-519).

¹¹Perry: *Historical Collections, Maryland*, pp. 89-91; Fulham MSS., Maryland, #63 (Library of Congress transcript).

he try to reclaim Papists and sectaries? Does he give notice of holy days? Does he read the acts of the Assembly concerning swearing and vice? Does he administer the Holy Communion in such a way that every person may receive twice a year? Is he diligent in visiting the sick? Is the church in good repair? Are the necessary books provided? Is there a decent communion table with coverings? Do any of the parishioners lie under suspicion of adultery, fornication, or incest? Are there any drunkards and swearers? Are there any persons of sixteen who fail to receive the Lord's Supper three times a year? Do any families neglect or refuse to send their children and servants to be catechised? Such were the questions for the church-wardens to ask.¹²

Both commissaries started out systematically; both planned regular convocations of the clergy. Great difficulties stood in the way of the execution of their office. Governor Hart addressed the convention of the Eastern Shore clergy in April, 1718. He declared that he had not resided long in Maryland before he realised the need of a Commissary, "for the bett^r Governm^t of the Church in y^s Province—this oblig'd me to remonstrate that Defect to his Lordship"—the Bishop of London. There were several difficulties, he added, in the execution of the commissarial commission; these were due in good measure "to the Constitution of the Province and the Naturall Scituation of y^e Country, fil'd wth great Rivers and Creeks which renders it impracticable, to put the ecclesiasticall Canons in full force, as it is much to be wish'd they might be, as well here as in England." He promised his hearty concurrence in whatever the clergy might recommend "that may be of use or benefit to the Church of England in this province." He advised the clergy to offer any grievances they might labour under to the Assembly for redress.¹³

While Commissary Wilkinson's relations with Governor Hart remained harmonious, there was considerable friction between Commissary Henderson and that official. A suspicion lurked in Henderson's mind that the Governor was not sincere in his protestations of interest, and that he was not above using the influence of the clergy to further his own designs. Before the Governor departed from the province (1720), he convened the clergy at Annapolis, without notifying Henderson. It was reported that he desired them to join in an address against the Lord Proprietor. Henderson appeared on the scene, and urged the clergy not to join in any resolution without consulting the Commissary. To his charge, the clergy replied that they

¹²Perry: *Historical Collections, Maryland*, pp. 96-99.

¹³Fulham MSS., Virginia, Box I., #77 (*Library of Congress transcript*).

had no inclination to deviate from the doctrine and discipline of the Church, and that they had not met because of things of an extraordinary nature but voluntarily to take leave of the Governor and to acknowledge his favours. Henderson responded with thanks and explained the grounds of his suspicions.¹⁴

A convention of the Western Shore clergy was held June 29th, 1720, attended by Henderson and eight others. An address of thanks to Lord Baltimore was framed. "We rejoice in it, both is our glory and our happiness, that we live under an administration, the head whereof has declared that he has nothing more at heart than the Protestant establishment, and that he will do all that in him lies to encourage & favor the Church of England as by law established."¹⁵

Henderson's efforts were constructive. On the 28th of June, 1721, he convened his clergy; and in his speech he enjoined loyalty to the King and to the Lord Proprietor, and urged his hearers to consult how best they might promote religion and the ends of their sacred function. He suggested that the clergy resolve to be more diligent in catechetical instruction—"the groundwork of all . . . our business being to watch for the souls of men;" to administer the Lord's Supper more frequently, and to celebrate the divine services regularly on Sundays; to keep the holy days according to the canon; to adhere strictly to the rules and orders of the Church; and not to interfere in the business of each other's parishes. There was a report of the grievous conditions in William and Mary Parish, St. Mary's County. Because of long distances and a vacancy, the children there had died unbaptised, and there had been no services for three or four years. Henderson took personal care of that field for eight months, giving his income to the orphan of a clergyman. He was interested in the circumstances of the widows and orphans of the clergy; and at his conventions the subject was considered.¹⁶

We find the clergy of the Western Shore in convention May 27th-29th, 1724. They then address their thanks to Governor Calvert for his hearty zeal and interest in their cause, and write the Bishop of London of their loyalty to him and to the King.

"We have the full enjoyment of our rights & privileges under the Govern^t of the R^t Hon. the Lord Proprietary, & we have been distinguished by particular favours from his Excell^y the present Gov^r."¹⁷

¹⁴Perry: *Historical Collections, Maryland*, pp. 119-121.

¹⁵*Ibid.*, pp. 122-123.

¹⁶*Ibid.*, pp. 133-135, 136.

¹⁷*Ibid.*, p. 234.

In 1730, Henderson was made commissary of the Eastern as well as of the Western Shore. At his first visitation of his new jurisdiction (June 24th), he said that his object was to examine the credentials of the clergy, to bespeak the assistance and concurrence of his ministers in the strict and orderly administration of the divine offices, and to exhort them to a suitable and exemplary life and conversation. At the convocation on the Western Shore (July 15th), he delivered the same address—really a very inspiring utterance. Both convocations were reminded that “there is one thing in which we must confess we are blame worthy, both Pastors and People, in that greater care is not taken about the Instruction of the Negroe. It cannot be denied but that they are part of our cure, & that we shall be accountable to God for the discharge of our duty to them.” Family worship was encouraged; and a picture of the awful consequences of prayerless homes was drawn. Henderson dwelt on the importance of the clergyman’s personal example. “What can a Minister of the Gospel expect but the utmost contempt, whose life is a flat contradiction to his doctrine?”¹⁸

The following year, at his visitation on the Eastern Shore (June 16th, 1731), Henderson explained his own efforts to teach the negroes, and he received reports from the clergy regarding their own experiences. Here we find the convention resolving itself into a sort of forum, in which the members might profit by each other’s example. One clergyman found that “his parishioners were generally so brutish that they would not suffer their Negroes to be instructed, catechized, or baptized.” Another had taken pains “to convince the people of necessity of having their Negroes instructed;” and had baptised several. Similar expressions were received from all present. The same subject was discussed at the visitation on the Western Shore.¹⁹

In August, 1753, the Maryland clergy convened at Annapolis, under the presidency of the Reverend Alexander Malcolm, of St. Anne’s Church. Letters were read from the Proprietors, and an address was delivered to Governor Sharpe, congratulating him on his safe arrival. The clergymen pledged their “firm Resolution conscientiously to promote Religion, Loyalty, and Harmony among the several Members of this Community.” Another session of the clergy was held in October, at which the encroachments of the Roman Catholic Church were discussed at length.²⁰

¹⁸Perry, pp. 288-295.

¹⁹Ibid., pp. 304-307.

²⁰Maryland Historical Magazine, III., 259-270.

III. PENNSYLVANIA CONVENTIONS

The Pennsylvania clergymen participated in certain conventions of the clergy of New Jersey and New York, and joined in addresses to the Bishop of London. An early example of such a joint convention is found in the Burlington convention of November, 1705, which will be discussed later. In September, 1717, the Pennsylvania and Delaware ministers signed an "humble address" to Governor William Keith, expressing gratitude for his favour to the Church.

"The special Notice you have been pleased to take of us upon all occasions, the Respect and tenderness wherewith we have been att all times treated by you, the restoreing us to that priviledge whereof we were lately deprived, the having Marriage Licenses directed to us Exclusive of all Others, In short yo^r firm and steady adherence to the Church of England in every respect and yo^r readiness to Assist and Support her Ministry, are such strong Endearm^{ts} to us of yo^r person and Govern^t."²¹

There was a convocation of clergymen held at Chichester, Pennsylvania, in October, 1723. The presence of the Reverend John Urmstone, a priest of bad reputation, was very offensive to the better class of people. He had no license from the Bishop of London except his former license for Carolina, where he had brought discredit on the Church. For awhile he had served Christ Church, and had ingratiated himself with some members of the parish. At last the vestry succeeded in getting rid of him; and Urmstone moved to Maryland. The Chichester convocation followed Urmstone's dismissal; and there a deputation was appointed to the vestry of Christ Church, to express the readiness of the clergymen to concur in Urmstone's dismissal, provided the matter be properly brought before them. The Reverend John Talbot was one of the deputation. The vestry seemed very grateful; and the clergymen who had thus sustained that body were requested to supply the parish until a settled minister should arrive.²²

An assembly of the clergy was held at Christ Church, Philadelphia, September 24th, 1729. Both the Reverend William Becket and Commissary Archibald Cumming addressed the gathering. There were reports of the activities of the different parishes.²³ The Pennsylvania ministers doubtless had frequent meetings; there are a number of their addresses extant.

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²¹*S. P. G. Series A, XII., pp. 216-218 (Library of Congress transcript).*

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ginning the 30th of April, 1760. Doctor William Smith presided; and two New Jersey clergymen attended, besides the delegation from Pennsylvania and Delaware. On the 2nd of May, an address to Governor James Hamilton was adopted. The body expressed its loyalty, and invoked the Governor's "patronage and protection." Next day, an address to the Bishop of London was framed. In it the clergy spoke of the hardships under which the Church was labouring.

"Indeed nothing but the good Providence of God together with the excellency of its constitution, the most assiduous and extensive Labours of the Missionaries & the aids of the Venerable Society for propagating the Gospel . . . hitherto secures the visibility of our Church; for while every other denomination is guarded by some plan of discipline, we alone are left without that necessary assistance, without a Head to guide us with Counsel, Authority to correct abuses, or a jurisdiction to ascertain the just privileges of our Ministry and Congregations."

On the 4th, the Reverend Doctor Jenney consulted with the group on the advisability of allowing the Reverend William Macclenachan the use of his pulpit. It was felt that the clergyman under consideration had acted irregularly; and a committee recommended that he should not be accorded the privilege of preaching in the church. Thomas and Richard Penn, the Proprietaries, were addressed by the convention; the clergy expressed their "grateful sense of the many invaluable privileges which, as members of community, (they) enjoy under the Charter granted to this Province" Finally, an address was prepared in order to secure the favour of the Archbishop of Canterbury. To his Grace, the convention said:—

"It is with concern, my Lord, we are compelled to observe, that the more flourishing and populous our Colonies become, the more alarming is our situation. Seminaries of Learning are now erected in many of the most noted Provinces, particularly in the City of Philadelphia under the conduct of Professors of approved worth, whose Abilities are every equal to such a Task.

"The Inhabitants of this Country of European Extraction are quite deprived of the benefits arising from the Episcopal Office & particularly of the Apostolical Rite of Confirmation. Very few have either inclination or capacity to attend to those essential differences by which the Constitution of our Church is distinguish'd.

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hend induce many to Educate their Children to the Dissenting Ministry rather than ours, so that our Church will not have such full advantages from these Seminaries of Learning as she otherwise might have."

To the Bishop of London, the convention reported, that "the State of Religion in the Northern Counties in America becomes more and more a subject of importance. . . . The Church of England here is far from bearing the most favourable aspect. This we conceive is owing to those hardships under which our Church particularly labors." In general, the addresses to both the Archbishop and the Bishop of London were identical.

The clergymen gave reports of their work at the convention. Lewes, Dover, Apoquinimink, Newcastle, Chester, Oxford, Radnor, Lancaster, Carnarvon, Pequea, York and Cumberland, and Berks and Northampton, were all brought to the attention of the gathering. The missionaries agreed to take turns in ministering to the vacant churches.²⁴

On the 31st of May, 1765, the clergy were again convened at Philadelphia; Doctor Smith was in the chair. An address to the new Bishop of London, Doctor Richard Terrick, was prepared, reminding the diocesan that "the State of Religion in these Colonies becomes every Day more & more an Object of Importance." The Church, it was said, was "far from being in a flourishing State;" its hardships were due in great measure to the want of a resident bishop.²⁵

IV. SOUTH CAROLINA CONVENTIONS

On the 10th of January, 1722, the clergy of South Carolina, assembled in convocation, addressed Governor Francis Nicholson, the Council and the Assembly of the province, in behalf of "the further Security of y^e Church of England in this Province." They urged that the Act of Uniformity, together with the act for exempting Protestant dissenters, be put in force in South Carolina as in south Britain; "particularly that the legislature would authorise & assert the said Churches undoubted Right & Privilege of Marriage, hitherto invaded by Dissenting Teachers." They were alarmed at the infringement of their prerogatives, and wished to retain a monopoly so far as performing marriages was concerned; they were also disturbed about their financial state. Therefore, they prayed that a more competent maintenance be assigned the clergy. As the currency in use was of low value, they had suffered considerable hardship.

²⁴Horace W. Smith: *Life and Correspondence of the Rev. William Smith*, I., 268ff.; Perry: *Historical Collections, Pennsylvania*, pp. 295ff.

²⁵Fulham MSS., Pennsylvania, #186 (Library of Congress transcript).

There were other petitions. The convocation asked that the assistant's or lecturer's place at Charles Town be settled, and that the free school already authorised by law be perpetually annexed. It was prayed that the province be divided into more parishes. The act requiring the ministers to keep their parsonages in repair should be repealed, the clergymen averred, and needed repairs should be provided for by law. Lastly, it was suggested that some other method of investing them with the legal right and title to their respective benefices should be enacted. The address was referred at the Council Chamber to a committee for the revision of the laws.²⁶

Another convention met at Charles Town, July 12th of the same year. At that time the clergy rendered thanks to Governor Nicholson for his services to the Church in general and to the ministers in particular. In their memorial, they declared that "it is chiefly owing to his great Example & that generous Encouragement he hath been pleased to give to so good a work, that the New Church of St Philip's Charles City, begun some years ago, but blown down & demolished by a furious Hurricane, is now in Such forwardness, that in a few months we hope to see it refitted for divine Service, a work of that Magnitude, Regularity, Beauty & Solidity, as will be the greatest ornament of this City & an Honour to the whole Province, being not to be paralleled in his Majesty's dominions in America." The Governor had also been responsible for various donations from the General Assembly, by which several parishes had benefitted.²⁷

We find the clergy passing resolutions, May 16th, 1723, on the departure of the Reverend William Tredwell Bull, who had served as Commissary of the Bishop of London. They commended his "sound Doctrine, diligence in dispensing of it, strict & exemplary Conformity of Practice to it."²⁸

The Reverend Alexander Garden, who was appointed Commissary in 1726, was one of the most systematic and efficient representatives of the See of London in the whole colonial period. Until his resignation, twenty-three years later, he never failed to call the clergy together for an annual visitation. A good example is furnished by the visitation held at Charles Town, October 20th, 1730. The meeting opened with public services; one of the clergymen preached. Mr. Garden examined the credentials of those who failed to attend the former visitation or who had newly arrived. The latter were exhorted to "a pastoral Care & Watchfulness, over their respective Flocks, propor-

²⁶S. P. G. *New Photostats, South Carolina*, ff. 264-266 (*Library of Congress*).

²⁷S. P. G. *B-Series, IV.*, #118 (*Library of Congress transcript*).

²⁸S. P. G. *B-Series, IV.*, #152 (*Library of Congress transcript*).

tioned to the Danger of the Times; and that they would exert themselves with the utmost Vigor & Diligence against the growing Infidelity of the Age." Complaints were heard against a certain minister, who had refused to baptise children, save in danger of death, unless they were provided with sponsors who were communicants as well. As the minister under consideration was not present, it was determined to write him to follow the prudential practice of his brethren. It was resolved that the clergy address the Governor after his landing, "in order to lay before the Council at Assembly, the Inconveniency of the want of a Bishops Court, that those Crimes which are Cognizable by the Bishops Court at home, may be punished here by the Common Law."²⁹

The visitations were held, even when there was no extraordinary business for discussion. At the meeting of April 19th, 1732, nothing was transacted beyond the examination of orders and licenses. Always there was a sermon. Thus Garden described the visitation held the second Wednesday after Easter, 1733:—

"The Visitation began with Divine Service, & a Sermon preach'd by M^r Morritt, after w^{ch} having examin'd and minuted all such Credentials as I had not examin'd and minuted before; I exhorted my Brethren to all possible Diligence & Watchfulness in the pastoral Charge committed to them; & so much the rather, for that they saw the modern *Infidel Books & Notions* began to find their way into this Province."³⁰

Garden resigned as Commissary in 1749. The visitations of the clergy ceased; afterwards the convocations were known as annual meetings of the clergy. During his term of office, Garden had proceeded against four irregular clergymen; two of them had resigned rather than face trial. One he had suspended from his office and benefice.³¹

V. EARLY NEW YORK AND NEW JERSEY CONVENTIONS

Seven clergymen convened at New York in November, 1702, "by general Consent;" and at that meeting, they drew up an account of the state of the Church in Pennsylvania, East and West Jersey, and New York; a copy of the same was sent to the Society for the Propagation of the Gospel, which was then in its infancy. The Reverend George Keith and the Reverend John Talbot, who were in the midst of a tour

²⁹S. P. G. A-Series, XXIII., pp. 222-223 (*Library of Congress transcript*).

³⁰Fulham MSS., South Carolina #37 (*Library of Congress transcript*).

³¹Fulham MSS., South Carolina, #290 (*Library of Congress transcript*).

of inspection of the Church in the colonies, at the instance of the aforesaid Society, attended the meeting. Governor Francis Nicholson of Virginia was the patron of the gathering, and paid the expenses of the ministers who did not live in the city. Of that convention, Talbot wrote:—

“The Clergy here have had a Sort of Convocation at the instance and charge of his Excellency Col. Nicholson Gov^r of Virginia we were but 7 in all, & a week together we sat considering of ways & means to propagate the Gospel, and to that end we have drawn up a Scheme of the present State of the Church in these Provinces.”³²

Another convention was held at New York, beginning October 5th, 1704, and attended by twelve of those whom Talbot called “y^e Messengers of the Church.” Lord Cornbury and Governor Nicholson gathered the group together; and Pennsylvania, New Jersey, and New York were represented. Another representation of the state of affairs of the Church was drawn up, and “transmitted to y^e venerable Society sign’d by their 12 Apostles apud Americanos.” The report included the work in Boston and Rhode Island, as well as in the colonies represented. Satisfaction was expressed that the Society had undertaken a mission to the Indians in the person of the Reverend Thoroughgood Moor. It was observed that New Jersey was the only field which did not partake of Queen Anne’s bounty; there was no support of the Church legally established in that place. It was also suggested that the children should first be satisfied, and the lost sheep recovered, “who have gone astray among Hereticks & Quakers who have denyed y^e Faith and are worse than Infidels and Indians that never knew it.” New Jersey, being next to Philadelphia, “has been most infested with the Leaven of Quakerism, but by God’s blessing upon y^e labours of y^e R^d M^r George Keith & M^r Alexander Innes many see their Errors and Cry aloud *Transiens adjuva nos*.” Each field of labour was described; and the “summary account” did not hesitate to recommend changes. For example, it was stated that “the Worthy and ingenious M^r Muirson, who is now going for England in the hopes of being admitted into Holy Orders,” would make a more satisfactory catechist than “the pious and deserving M^r Elias Neau, who was brought up a Merchant.”³³

³²George Keith: *A Journal of Travels from New Hampshire to Caratuck*, 1706, p. 55; Edgar L. Pennington, *John Talbot, Apostle of New Jersey*, pp. 28, 86, 173.

³³Edgar L. Pennington: *John Talbot, Apostle of New Jersey*, pp. 101, 107; *Documentary History of New York*, III., 74-77; *S. P. G. A-Series*, II., #xxii. (*Library of Congress transcript*).

On the 2nd of November, 1705, fourteen clergymen, representing New York, New Jersey, and Pennsylvania, assembled at Burlington, under the leadership of the Reverend Mr. Talbot. They were deeply concerned because of the lack of a bishop in their midst; and it was decided to address their ecclesiastical superiors. Talbot was chosen as the spokesman, to present in person their petition for a bishop; and a letter was addressed to the Bishop of London, expressing their great desire for a suffragan, and asking him to decide whether it would be convenient or not to present the application to the Queen.

In their communication "to the most Reverend Father in God, the Lord Abps., the Right Reverend the Bishops, and others Right Honourable Members of the Society Erected for Propagation of the Gospel in Foreign Parts," they declared that they had been deprived of "the advantage that might have been received of some Presbyterian and Independent Ministers that formerly were, and of others that are still willing to conform and receive the holy character, for want of a Bishop to give it."

"The baptized want to be confirmed. The presence is necessary in the councils of these provinces to prevent the inconveniences which the Church labours under by the influences which seditious men's counsels have upon the publick administration and the opposition which they make to the good inclinations of well affected persons; he"—a bishop—"is wanted not only to govern and direct us but to cover us from the malignant effects of those misrepresentations that have been made by some persons empowered to admonish and inform against us who indeed want admonition themselves."

The clergy also protested against reports which had been circulated about them, lessening their reputation; and urged that no credit be given to any complaints against them but such as are under the hands of three clergymen. So preponderant were the Dutch and French languages in certain localities that they petitioned "that there be no preachers permitted to preach among them"—that is, among the Dutch and French inhabitants—"but in the English Tongue or at least of Episcopal ordination that can preach both in English and in their own Tongues, Nor any Schoolmasters to teach any Vulgar Languages but the English, without a particular license from the Governor, till God bless us with a Bishop. This last Expedient is thought by the Governor to be a likely means of uniting the Country both in their religious and Civil interests."³⁴

³⁴Edgar L. Pennington: *John Talbot, Apostle of New Jersey*, pp. 38-40, 126; *Perry: Historical Collections, Pennsylvania*, pp. 508-509.

Talbot sailed for England, and presented the petition in person.

Colonel Robert Hunter did not enjoy the full confidence of the clergy, although he had his adherents. The Reverend William Vesey, of Trinity Church, New York, had good reason to regard the Governor as his enemy; although Vesey appeared to one of his fellow-clergymen as a man "discontented under y^e pblick administⁿ and linked wth a party who have hitherto endeavour'd to Sow Contention between the Govern^t and the Clergy."³⁵ The Réverend Thomas Poyer, of Jamaica, Long Island, found his parsonage and glebe in the possession of the dissenters, who refused to surrender it; he did not feel that the Governor accorded him full support, and he registered a complaint in a letter home.

The clergy of New York and New Jersey convened in New York in 1712. Governor Hunter addressed the group, and assured his hearers of his concurrence. He stated that one of their number—Mr. Poyer—had branded him with an odious character; and he appealed to God and to the clergy to witness as to the truth or falsity of the accusation. He said that he had forgiven the offender and would return good for evil. Poyer replied that he hoped the Governor would "give some allowance to the Disturbances w^{ch} must have been raised in a Person struggling under the greatest hardships;" and asked for pardon. The clergy delivered their formal address to his Excellency. They had found the establishment of the Church by legislative act was "so precarious and lyable to so many inconveniences," that they wished the Governor's advice on the wisdom of begging the Queen to settle the Church on a surer foundation. They disclaimed all reflections on the administration, so far as Jamaica was concerned; and they thanked the Governor for inducting Poyer into the rectorship there. They appreciated the favours extended to Elias Neau, the catechist, and to Mr. Bondet, Mr. Barclay, and other clergymen. They hoped that the Governor would promote the building of a church at Albany.

"We could heartily wish that there were effectual care taken to promote the Establishment of the Church thro' out the other Counties of this province as well as to secure and corroborate it where it is already settled. This and what else may be for the promotion and encouragement of Religion here or may seem proper to suggest to our patrons in England we humbly submitt to your Ex'cys Judgment and discretion."

The clergy requested that they might meet twice a year; and Governor Hunter agreed that such gatherings would prove a means of

³⁵*Letter of John Sharpe: S. P. G. A-Series, VII., 214 (Library of Congress transcript).*

promoting and maintaining a good understanding, and would enable them to transmit a true account of their labours to the patrons at home.³⁶

A convention of the New York and New Jersey clergy was held in February, 1713. To that gathering, Colonel Lewis Morris addressed a letter, denying the slanders made by the Reverend Jacob Henderson. The ministers acknowledged the same, with the statement that they wished that his resentment had been attended by more moderation and temper. Still they thanked him for his interest in the Church. Neau the catechist described to the convention the opposition which he encountered in his efforts to instruct the negroes. The people seemed to think that "Christian knowledge would be a mean to make their Slaves more cunning, and apter to Wickedness than they are." He begged the clergy to combat such a notion. Governor Hunter, he said, had shown his great zeal towards the religious training of the negroes: he and his wife had visited the catechising school, and had ordered all their slaves to attend.³⁷

On May 2nd, 1739, the clergy of New York and New Jersey convened at Trinity Church, New York, at the call of Mr. Vesey. They delivered to him the report of their incomes and their parochial accounts; these he transmitted to the Secretary of the Society for the Propagation of the Gospel in Foreign Parts.³⁸ In May, 1748, the clergy presented a petition to Governor Clinton, setting forth that some inconveniences had arisen from the fact that the justices of the peace were executing marriage licenses by virtue of their direction "to any Protestant minister;" since those magistrates regarded themselves as ministers of justice, they contended that they had a right to do so. The clergy prayed that an addition might be made to licenses in the future, directing them "to any Protestant minister of the gospel." With this the Governor complied.³⁹

VI. LATER NEW YORK AND NEW JERSEY CONVENTIONS

1. IN NEW JERSEY

From 1705 to 1758 no conventions appear to have been held in New Jersey, the clergy of that province meeting during the interval, if at all, with their brethren of either New York or Pennsylvania. But in 1758, probably through the leadership of the Rev. Thomas Brad-

³⁶*Documentary History of New York*, III., 84, 157-158; MS. Clarendon, 102, fol. 211 (*Library of Congress transcript*).

³⁷MS. Clarendon, 102, fol. 212-213 (*Library of Congress transcript*); S. P. G. A-Series, VIII., p. 292 (*Library of Congress transcript*).

³⁸S. P. G. B-Series, VII., Part I., p. 101 (*Library of Congress transcript*).

³⁹*Anatomist*, No. VI., *Pennsylvania Gazette*, Oct. 13, 1768.

bury Chandler of Elizabeth Town, regular conventions were instituted and continued without interruption for over ten years. Their reasons for adopting the convention method, as given in a letter eight years later to the Bishop of London, are instructive:⁴⁰

"About Eight years ago the Clergy of New Jersey, taking into Consideration the deplorable State of the Church of England in America through the want of Bishops and a regular Discipline, and fearing, unless that Relief should be granted which had been so often and earnestly requested, that it would soon be born down in this Part of the Country, by the Weight of its Adversaries—entered into a Resolution, after the maturest Deliberation, to meet together annually, or oftener as Occasions should require, in Order to exert their united Efforts for the Prevention, if possible, or at least for the Retarding of the impending Evil. This Apprehension and Disposition in the Clergy gave Rise to those Conventions in this and some of the neighboring Colonies, of which your Lordship must have frequently heard: and the many Advantages that have been found to attend them have occasioned their Continuance."

After stating that their first convention had been held in November 1758, they explain that *annual* conventions, attended by clergy from adjacent provinces, "have been regularly held with considerable Solemnity," a sermon being preached at the opening, a president chosen annually to act for one year only and for no two years in succession. "*Occasional* conventions have sometimes amounted to several in the Course of a year." Since two days were all that they could give to any one convention, "whatever Business we are unable to finish in that Time, is either adjourned to another general Meeting, or, if it requires Dispatch, is left to Committees, who are to act in the name of the Convention, and agreeably to their Instructions."

On November 3, 1759, the clergy of New Jersey held their second annual convention of this period at Perth Amboy. They recommended establishing a mission in the upper part of Hunterdon County, and the appointment of the Rev. Andrew Morton to the same. They held that such a mission would be of great service, since that region was growing very populous.⁴¹

It soon became customary for the laity of vacant missions or Churchmen in communities where no mission existed to appeal to the

⁴⁰Quoted in full in Samuel A. Clark, "*The History of St. John's Church, Elizabeth Town, New Jersey*," 1857, pp. 118-119.

⁴¹S. P. G. B-Series, xxiv., p. 233 (*Library of Congress transcript*).

clergy in convention to use their influence with the Venerable Society in providing them with ministers. Thus the convention, meeting in Perth Amboy on December 6, 1762, addressed the Society,⁴² making certain recommendations:

(1) The congregation at Piscataqua (near New Brunswick), having built a new church a few years before, had requested the care of some neighboring missionary. The convention, awaiting the Society's direction, had assigned the Rev. Robert McKean (then of New Brunswick, later of Perth Amboy) to minister to them, and this Mr. McKean had been doing.

(2) At a previous convention at Burlington, the Anglicans in Mount Holly had requested a full time minister, the ministrations of the Rev. Colin Campbell of Burlington being "inadequate to their wants." The convention had outlined to them the Society's terms which must be met by the Mount Holly people before the convention would recommend a missionary to be settled there.

(3) The people of Trenton, having requested the convention's recommendation for a missionary, and having given "proper security" for his support, they were prepared to request a missionary for that place, but in the meantime had heard of the appointment of the Rev. Augur Treadwell, who was on his way from England.

On October 3, 1765, in a convention assembled in Perth Amboy, the clergy of New Jersey and New York eloquently pressed the need of a resident bishop.⁴³ They addressed both the Archbishops of Canterbury and York, the Bishop of London, and the Society for the Propagation of the Gospel. They prayed "that One or more Bishops may be speedily sent us." Dissenters were opposed to the scheme, and there was opposition to any suggestion of a spiritual court. Therefore, the clergy took pains to obviate all objections by emphasizing the need of a purely ecclesiastical episcopate divorced from all civil offices and powers—"that the Bishops to be granted us are only to exercise those Powers which are essential to the Office, with Jurisdiction over none but the Professors of the Church."

⁴²Clark, as above, pp. 96-98. The clergy attending this convention were: Richard Charlton of Staten Island, N. Y.; Colin Campbell of Burlington, N. J.; T. B. Chandler of Elizabeth Town; Isaac Browne of Newark; Samuel Cooke of Monmouth County; Robert McKean of New Brunswick.

⁴³Fulham MSS., North Carolina, South Carolina, Georgia, #8 (Library of Congress transcript); T. B. Chandler: "Appeal Farther Defended," pp. 23-27; Clark, S. A., as above, pp. 109-110. The president of the convention was the Rev. Myles Cooper of New York. Other New York clergy were: Samuel Auchmuty, Richard Charlton, John Ogilvie, and Samuel Seabury. Those from New Jersey were: Isaac Browne, Colin Campbell, Samuel Cooke, Thomas B. Chandler, Robert McKean, Andrew Morton, & Leonard Cutting.

"Altho' this is less than could be reasonably expected in a Christian Country, as we know of no Instances since the Time of Constantine in which Bishops have not been invested with a considerable Share of Civil Power; yet we shall be glad to accept of it, and we hope it will be sufficient. . . . The Truth is, we shall be glad of an Episcopate at any Rate . . . and we must leave it to Providence and the Wisdom of our Superiors, on how respectable a Footing it is proper to place it."

The time of this appeal is to be carefully noted: first, because the Stamp Act had been passed by Parliament in March of that year with resulting resentment in the colonies; and second, because in that very month (October 7-19) a congress of 28 delegates from most of the colonies met in New York to protest, and drew up a "Declaration of rights and liberties." Under these circumstances, and in view of the prevailing temper of the colonies, the appeal for bishops, even though entirely reasonable, aroused the hostility of the dissenters to a white heat and precipitated the bitter controversy soon to follow.

Under date of March 10, 1766, the Bishop of London, Richard Terrick, replied to the joint address of the New Jersey and New York clergy on the subject of an American episcopate. This letter was read to the convention of New Jersey and New York held at Shrewsbury, New Jersey, on October 1, 1766. Dr. Chandler was president.⁴⁴ Judging from the context of the convention's reply, Dr. Terrick, in his letter, intimated pretty plainly that the address of the convention of 1765 "was unseasonable, and from the peculiar Circumstances of the Times, tended to *throw difficulties in the way of Government*." If he did not raise the question of reviving the office of commissary for the colonies, they knew that Dr. Smith of Philadelphia had lately urged its revival, and the convention had good reason to believe that it was being mooted in London.

The convention proceeded to discuss and debate the points raised by the Bishop's letter, came to a fairly general agreement on the substance of their reply, and appointed Chandler, Cooke and Cooper a committee to draft it after the convention adjourned. The committee's

⁴⁴See Clark, S. A., *supra*, pp. 118-119. Sixteen clergymen were present. The others, besides Chandler were: From NEW JERSEY—Samuel Cooke, Leonard Cutting, Nathaniel Evans, Robert McKean. From NEW YORK—Ephraim Avery, Myles Cooper, Robert Charlton, Charles Inglis, Samuel Seabury. From CONNECTICUT—Abraham Jarvis, Jeremiah Leaming, Samuel Peters. From PENNSYLVANIA—William Sturgeon and Hugh Neill. The identity of the Rev. Mr. Bennett is uncertain; possibly he was the Rev. Samuel Bennet, chaplain of a regiment lately in Montreal.

letter, in the name of the convention, is dated Elizabeth Town, October 10, 1766.⁴⁵

Although the convention's reply is very respectful, they did not back down one inch from their previous position. "At the Time of our making the Application in Question, it was impossible to foresee that the Disturbances (protests over the Stamp Act) which followed, would rise to so great a Height." Care being taken to have the design and powers with which bishops were to come to America properly explained—a plan that must "have appeared to the Dissenters themselves so unexceptionable in all Respects, and so manifestly calculated to oblige *them*"—"no opposition from that Quarter was greatly to be dreaded." They had never heard that their application was judged improper or unreasonable *in itself*, and since the former disturbances had subsided, "we hope therefore that it is not unreasonable *now*, to renew our Request."

"Accordingly, by the Direction and in the name of our last Convention we take the Liberty to address your Lordship again on the Subject, most humbly but earnestly imploring your Mediation and Influence, that One or more Bishops may be speedily sent us. The Dissenters in this Country, of every Denomination, have the full Enjoyment of all they can desire towards rendering their respective Forms of Ecclesiastical Government and Discipline compleat—the Moravians in our neighbourhood are allowed a Bishop—and the Papists in Canada have the same Indulgence—and these various sects must all see, and the world sees, that if we had been Dissenters, or Moravians, or Papists, we should not have been so long laboring for an Episcopate to so little Purpose. And yet the only Crime we are conscious of, with Regard to the Public, is, that we belong to the national Church"

They next take up the cudgels against commissaries and in behalf of voluntary conventions in conducting the affairs of the Church, making mention that the Rev. Messrs. Peters and Sturgeon did not concur in the general opinion on this particular subject. It was the convention's opinion "that Commissaries cannot be of any considerable Service in this Part of the Country, nor supply the Want of Bishops in any Degree. Unalienable Episcopal Power, and not Commissariat Power, is the Thing that is wanted."

Commissaries had been tried and their usefulness had not been

⁴⁵Clark, S. A., *supra*, where it is given in full, pp. 118-128. Clark states: "This letter is in Dr. Chandler's own handwriting, and is contained in the Manuscript Volume, from which a large part of the materials for this little work have been drawn." This MS. volume (probably a Letter or Minute Book) is not now known to exist.

great. Those who had served under them were agreed that the Church's affairs were never so well conducted by commissaries as they had been under voluntary conventions. In fact, "the two cases will hardly admit of comparison." Conventions have established "Harmony, Unanimity and Affection amongst ourselves;" commissaries have been "unfortunately the Occasion of much Contention and Discord." Moreover, "the Appointment of Commissaries at this Time, will tend greatly to dishearten our Friends and encourage our Enemies." It will be looked upon as a retreat; as a sign that bishops cannot now and never will be obtained.

• This convention in the light of later history was mistaken on one point: the fears of the opponents of the episcopate were not to be allayed by any plan for American bishops, however solemn the promises that American bishops would have no civil powers and no authority over dissenters, so long as the colonies were tied to King and Parliament. But they made good their attack on commissaries and their defence of conventions. The former were never again appointed for the northern colonies, but the convention system was to continue as an enduring institution of the American Church.

In October, 1767, the clergy again met at Elizabeth Town. Again addresses were framed, dwelling on the sufferings of the churches for want of bishops and calling attention to the disadvantage under which the Church must labour. An important step was taken at this convention towards organising a society for the relief of the widows and orphans of the Anglican clergymen. As the Reverend Doctor William Smith expressed it, "the distressed circumstances, in which the Episcopal Clergy in the more northern provinces of America, (and especially the Missionaries in the service of the Society for the Propagation of the Gospel in foreign parts,) have too frequently been obliged to leave their families, had long been matter of discouragement to many from entering into the ministry of our Church, as well as of regret to pious and worthy members thereof." It was at length resolved, at this meeting, to appoint a committee to frame some plan of provision for the distressed widows and children of such of the clergy as should die in narrow or necessitous circumstances. The committee consisted of Doctor William Smith, Provost of the College of Philadelphia; Doctor Samuel Auchmuty, of Trinity Church, New York; Doctor Myles Cooper, President of King's College; and the Reverend Samuel Cooke, of Monmouth county, New Jersey.

The committee met at Perth Amboy, May 12th, 1768; and drew up a plan and draft of a charter, "to be solicited by the Members of the

committee in each of the three provinces of New York, New Jersey, and Pennsylvania."

At a voluntary convention of the clergy at New Brunswick, October 12th, 1768, with Doctor Chandler presiding, the plan was unanimously agreed upon, subject to the approbation of the Venerable Society. Within a year, charters were obtained in all three provinces; the Society pledged a generous donation towards the benevolent undertaking. Thus came into existence three corporations, which have survived all panics and depressions to this day; though altered and amended in certain respects, they are continuing the work which their founders planned and affording security and protection to many families.⁴⁶

2. NEW YORK CONVENTIONS OF 1766 AND 1767

On the 21st of May, 1766, a group of fourteen New York and New Jersey clergymen met at the house of the Reverend Doctor Auchmuty, rector of Trinity Church, New York. The purpose of this gathering was expressed, as follows:

"The Clergy of the Province of New York, taking into their serious consideration the present state of the Church of England in the Colonies, where it is obliged to struggle against the opposition of sectaries of various denominations, and labours under the want of the Episcopal Order, and all the advantages and blessings resulting therefrom; agreed upon holding voluntary conventions, at least once in the year and oftener if necessity required, as the most likely means to serve the interests of the Church of England; as they could then not only confer together upon the most likely methods, but use their joint influence and endeavours to obtain the happiness of Bishops, to support the Church against the unreasonable opposition given to it in the Colonies, and to cultivate and improve a good understanding and union with each other."

Doctor Samuel Johnson was unanimously elected president of the convention. After adjourning to the church, and after a sermon by Doctor Auchmuty, the body proceeded to the business in hand. It was moved that an address be presented to Sir Henry Moore, expressing the hope "that he would be pleased to give his Countenance & Protection to this Convention, which meets for valuable Purposes of promoting Religion & Virtue." As it was intended that the con-

⁴⁶Walter H. Stowe: "The Corporation for the Relief of Widows and Children of Clergymen" in *HISTORICAL MAGAZINE of the Protestant Episcopal Church*, III., pp. 20ff.

ventions should be held with regularity in the future, "fundamental rules and statutes" were adopted. A president should be annually chosen; he should be a resident of the province, and not hold office two years in succession. No fewer than nine members would be required for holding an "annual convention;" although seven might hold "an occasional convention." The making of fundamental laws and regulations should be confined to the annual conventions, but all other business might be transacted at the voluntary conventions. The president should be empowered to call conventions on emergency; or three members might require the assembling of the same. A standing committee of five should be appointed, of which three would constitute a quorum. No person should be recommended for Holy Orders by any member of the convention, except in annual or special convention. No person should be recommended for the supply of a vacant parish or mission, or any removal negotiated, "till the People have satisfied this Convention that they have made a proper Provision for their Minister according to the Society's Orders, & that they will fulfill their Engagement to them; & that this Convention make it a Point of the utmost Consequence to see that the People do comply with their Obligations." A majority of votes should determine a case; and the clergy present from neighbouring provinces were given the right to vote. Provision was made for a minute book. New statutes and regulations might be added in the future.

It was decided that the next convention should be held in the city of New York, the day after the commencement of King's College. Doctor Auchmuty was elected president. A letter was drafted to Governor Moore, in accordance with the aforesaid resolution; and His Excellency was informed that "the Clergy of the Church of England in the Province of New York, with some of our Brethren from the adjacent Provinces, now met together in voluntary Convention" congratulate him on his appointment as Governor and his safe arrival.

"The Design of our convening at this Time, is to confer together, on the most expedient & proper Measures for promoting the Interest of true Religion, and our excellent Church; our general Attention to which is the more necessary, as it still continues in an imperfect State in this Country, for want of a regular Discipline."

Doctor Auchmuty is thanked for warning the Bishop of London of the alleged intention of the Presbyterians "to make Application to the Kirk of Scotland, for their Influence with the King & British Parliament, to obtain a general Charter of Incorporation."

The S. P. G. is notified of the convention, and of the intention to hold the same annually for conference on the most proper methods to promote the welfare of the Church and "the Interest of Religion & Virtue." The loss of two promising young men by shipwreck is cited as "an incontestable argument for the necessity of American Bishops," who would render unnecessary the long and dangerous trip to England for ordination. "An exact Calculation made not many years ago" showed that not fewer than one out of every five who had gone to England from the northern colonies had perished in the attempt—"ten having miscarried out of Fifty one." The Society was apprised of the efforts of "a great many Independent & Presbyterian Teachers . . . to the number of about Sixty, & many more expected, who call themselves a Synod," and who are exerting every effort to secure incorporation or establishment—all of which will be detrimental to the interests of the Church of England.

The Reverend Samuel Seabury was secretary of this convention; and the original minute book,⁴⁷ containing the annual and voluntary conventions of 1766 and 1767, is in the possession of his descendant, the Honourable Samuel Seabury of New York; and it is the source of our information regarding the New York and New Jersey conventions of those years.

A voluntary, or "occasional," convention was held at King's College, in the city of New York, on the 21st of January, 1767, attended by nine clergymen. Doctor Auchmuty was in the chair. The Reverend Messrs. Inglis and Cooper were thanked for their address to Sir William Johnson; and thanks were voted to the Baronet "for his very obliging & judicious Answer to the said Address; & for his Assurances in favour of the Church." The same clergymen were appointed a committee "to correspond with Sir William, present the same; & continue & cultivate a Correspondence with him." Mr. Cooper submitted his private correspondence with Sir William "relating to an Application to be made for a Grant of Lands for the Support of the Widows & Orphans of Clergymen in America." Doctor Thomas Bradbury Chandler read a letter to the Bishop of Oxford, "containing some animated & just Strictures upon the B^p of Gloucester's unaccountable Sermon before the Society, Anno 1766, which we apprehend will be attended with the most fatal Consequences." Other details were attended to, including the consideration of a letter from St. Paul's Church, Philadelphia, relating to local difficulties.

On the 18th of March, 1767, another voluntary convention was

⁴⁷"The Original Minutes of the Conventions of the Colonial Clergy of New York and New Jersey," 1766 and 1767, Samuel Seabury, Secretary. (*The Seabury Minute Book.*) To be published in a later issue.

held—this time in the vestry-room of Trinity Church. Nine clergymen attended. At that occasion the difference between Colonel Phillipse and the Reverend Harry Munro was considered. The former had written Doctor Auchmuty that he would pay his own subscription of twenty pounds for the clergyman's support and use his best endeavours to procure for him as large a subscription from his tenants as possible. This answer did not satisfy Mr. Munro. The convention decided to recommend his case to the Society. A letter was written endorsing the clergyman's character, and recommending that he be removed to some vacant mission.

An "occasional convention" was held at King's College, April 9th, 1767, with seven clergymen on hand. It had been reported that one George Spencer, formerly of New York, had attained ordination in England, with a view of returning to America. Being apprehensive "that great Detriment will accrue to the Interest of the Church, should a person of his Character obtain any Mission or Living in these Provinces," it was agreed to write the Society on the subject, and to insert an advertisement in the newspapers, "in Order to obviate any Suspicions that the Clergy of New York or New Jersey have contributed to said Spencer's obtaining Orders, either by Recommendation or any other Ways." The letter and notice were written. Spencer was reported as standing accused "of many atrocious Crimes."

"We can with Truth affirm, that his general Character in this Country . . . is so odious and detestable, that we can not hold any Correspondence or Intercourse with him, without Ruin to our own Reputation & irreparable Injury to the Church & to Religion in General."

The convention avowed sympathy with the wardens and vestrymen of St. Paul's, Philadelphia, but felt assured that the difficulties would be relieved, "in as much as you have given us the Assurance that you would accept (no clergyman), but such as should bring with him a License from his Lordship"—the Bishop of London. It was decided at this convention that the same be styled henceforth "the United Convention of New York and New Jersey," or "of New Jersey and New York," according to the province in which it was convened.

On the 20th of May, 1767, an annual convention of the New York and New Jersey clergy assembled at Trinity Church, New York. Thirteen were present. Doctor Auchmuty presided; and the Reverend Mr. Charlton preached. Mr. Charlton was elected president for the ensuing year. A rule was adopted that no member withdraw himself from a session of the convention without the president's leave; that

each member address the chair; and no member speak twice on the same subject unless new matter offers. A committee was appointed to examine Mr. William Frazier, applicant for Holy Orders. When the report was received, it was agreed to recommend Mr. Frazier to the Society, and to the congregation of Spotswood, New Jersey, as a lay reader, until an answer was received from the Society; furthermore, the standing committee recommended Mr. Frazier for ordination. A motion was passed that no copy of the minutes of the convention should be given to any person not a member, without a particular order from the convention. When Mr. William Ayers requested a copy of the minutes of the New Jersey convention, pertaining to himself, he was refused; but he was admonished that the convention had received "some Accounts of his irregular Behaviour in reading Prayers in New Jersey, & also Sermons of his own composing; & that, without consulting any of the Clergy of that Province." He was advised to pursue his studies until the next New Jersey Convention; then that body would give him "such Encouragement, as his regular & proper Behaviour shall entitle him to." The Reverend Mr. Lyons laid before the convention a letter from the Society, informing him that it had been resolved to break connections with him. The reasons assigned being only general ones, and not involving accusations against his character, Mr. Lyons had applied for the advice and assistance of the "Board"—convention. It was decided to draw up a letter to the Society, representing the impropriety of continuing Mr. Lyons at Brookhaven, but suggesting that he might be usefully employed elsewhere—"particularly in some of the Southern Colonies." The convention recommended that the Reverend Isaac Browne should be appointed to succeed Doctor Chandler at Elizabeth Town, should he move. As the Reverend Messrs. Cooper and McKean were about to go to Maryland, to secure the co-operation and support of the Governor and the clergy there in the effort to obtain an episcopate for America, letters were drafted introducing those men to Governor Sharp and the Maryland clergy.

Looking back over the conventions of those two years, we are impressed by the wide scope of their activity, by their alertness and efficiency. The members did not hesitate to constitute themselves a clearing house for applications for ordination; they advised regarding vacancies; they championed the cause of worthy clergymen, yet stood ready to prevent the appearance of wolves within the sheepfold. They addressed governors and men of prominence; they protested against utterances on the part of an English bishop. Many affairs now in the hands of diocesan standing committees were undertaken and dispatched. Thus they developed experience in procedure, and were the

better able to assume leadership in the chaos which followed the American Revolution.

VII. NEW ENGLAND CONVENTIONS

The few clergymen who resided in New England had started assembling for mutual advice and fellowship as early as 1725. At a meeting, held at Newport, Rhode Island, on the 21st of July of that year, a letter was drawn up to the Secretary of the Society for the Propagation of the Gospel in Foreign Parts, urging the necessity of a resident bishop. The Church of England had encountered strong prejudice and persistent opposition in the colonies of Massachusetts, Connecticut, and Rhode Island; and the clergy felt the disadvantage of their position. In their address, they said:—

“We humbly conceive nothing can more effectually redress those grievances and protect us from the insults of our adversaries than an Orthodox and Loyal Bishop residing with us; and at this time are awakened to such a thought by the coming over of Doctor Welton, late of White Chapel, who has privately received the Episcopal character in England, and from whose influences and industry we have reason to fear very unhappy consequences on the peace of the Church and the affections of this country to our most excellent constitution and his most sacred Majesty’s Person and Government. Not only those who profess themselves Churchmen long and pray for this great blessing of a worthy Bishop with us, but also multitudes of those who are well wishers to us, but are kept concealed for want hereof, and immediately appear and form many congregations too. If once this happiness were granted, this would supply us with many useful Ministers from among ourselves, whom the hazards of the seas, and sickness, and the charges of travel discourage from the service of the Church and tempt them to enlist themselves as Members or Ministers of Dissenting Congregation. Our people might receive the great benefit of Confirmation, the usefulness whereof we preach and they are deeply sensible.”

At this meeting of “the New England Clergy,” the Reverend Messrs. Timothy Cutler, James Honyman, James MacSparran, Matthew Plant, George Pigot, and Samuel Johnson were present. An application was also addressed to the King, “for his Gracious Countenance and Protection;” and the Bishop of London, likewise the recipient of an address, was asked to lay the letter before his Majesty.

In their petition to the King, the six clergymen asked redress from the annoyance to which their congregations were subjected, through im-

prisonment for the non-payment of taxes toward the support of the dissenting teachers. The Independents, being more numerous than the members of the Church of England, had forgotten the liberty of conscience stipulated in the Charter, and had "taken upon themselves to pass Laws tending to the very great prejudice and oppression of the members of the Church of England and the rest of the inhabitants of the said Colony." (Here the Massachusetts Bay colony was referred to specifically.) A law had been passed "for the settlement and support of the ministers and schoolmasters," whereby it was enacted that the inhabitants of each town in the province should take due care from time to time to be constantly provided with "an able, learned Orthodox minister of good conversation to dispense the word of God to them, which minister be supported by inhabitants of such town." It was provided that "every minister chosen by the major part of the inhabitants of any town at the town meeting should be the minister of such town, and the whole town obliged to pay towards his maintenance, each man his proportion." By a subsequent law, it was ordained that each respective gathered Church in any town—that is, the Independent meeting—should have power to choose and elect the minister; and he would be the one whose settlement and maintenance would be chargeable to all the inhabitants and ratable estates lying within such town. In those towns, wherein there was no gathered church, the ratable inhabitants should call a meeting, and, with the advice of three neighbouring ordained ministers, choose and call an orthodox, learned, and pious person to dispense the word of God; the people were to be assessed and required to pay in proportion. Also the Independents passed an act "for the settlement and support of ministers," still further strengthening their position. There were means devised to compel Quakers and "others averse to the public worship of God and a learned and orthodox ministry, who found out ways to evade the laws," to pay their share of the Independent minister's support. Other acts were enumerated. The Independents had established their body as the Church of the province, to the subjection of the established Church of England.

"That the said Independents, having passed the aforesaid Laws in direct opposition to their said Charter and to the Laws and Constitution of this Kingdom, in order to oppress the Church of England people and other Christian Inhabitants conscientiously differing from the said Inhabitants, and having, by the said Act of 1715, vested an illegal power in themselves of determining who should be ministers under the Qualifications aforesaid, and of appointing Ministers of their own perswasion and imposing them and their maintenances on all

your Majesty's subjects, even those of their Mother Church. To compleat their designs, under the said Laws, they set up themselves for, and acted as, an established Church, and very lately took upon them, as such, to erect a Synod, but which was taken notice and condemned and disallow'd of by your Majesty."

The petitioners avowed that they had laid "a very fair Foundation of instructing great numbers of the Inhabitants there in the Doctrines and Principles of the Church of England . . . and should have made a much greater progress, but for the oppressions and hardships which they continually received from the Independents, which they continue daily to exercise towards your petitioners and all that become members of their congregations, by unwarrantably rating and assessing them for the support and maintenance of the Independent Teachers, and for the repairing and building the Independent Meeting Houses, and in default of payment, by distraining their goods and laying their persons in actual imprisonment, and using all methods possible to discourage the Inhabitants from embracing our government, doctrine, and liturgy, whereby the members of our Churches are miserably distressed by the force and violence that is used upon their Persons and Estates in case of the least refusal or delay to contribute to the support of the dissenting Teachers and their meeting houses."

In laying their grievances before the King, the convention of clergy expressed the hope that he would repeal them, since (1) no national or provincial Church is by said Charter established in the province, but rather an extensive liberty of conscience to all Christians except Papists; (2) the acts mentioned set up Independency above the King's other subjects and particularly above the Church of England, and take away liberty of conscience and security of religion, and invade the civil liberties and properties; (3) the General Court has no power to make any laws imposing anything relating to any single form of worship, or assessing the members of one denomination in support of those of another; and (4) great distresses are brought upon Mother Church by the rigid manner of executing the said laws.

While the clergy were very desirous of a resident bishop, they realised that the presence of Doctor Robert Welton in Philadelphia was an embarrassment to their cause. Doctor Welton had received consecration at the hands of the Non-Jurors; and thereby he had identified himself with those who were still loyal to the dispossessed Stuart lines. At least three of the New England clergymen did not attend or have a part in the convention; and two of them joined in a letter to the Bishop of London, excusing themselves on the ground that their

presence and participation might be regarded as presumptuous or disloyal.⁴⁸

On the 2nd of May, 1726, the same six clergymen—Messrs. Cutler, Honyman, MacSparran, Plant, Pigot, and Johnson—with the addition of the Reverend Samuel Myles convened in Boston. A letter was directed to the Bishop of London, acknowledging their great obligation to his Lordship for his "paternal Care and Endeavours to procure a Bishop being sent into these Countrys." Such a bishop was needed, "to protect us from the Frowns of the Charter Governments. . . . To direct our Conduct in our Charges and to one another. To oblige the unruly and the Insolent to observe their Duty and preserve the Dignity of their Characters. To confirm our Youth and for many other ends and Reasons."⁴⁹

July 20th, 1727, all the above ministers except Mr. Plant gathered together. Again they complained of the discriminations which they suffered.

"Persons of unquestionable Zeal against us are promoted in all places. The Governour of Rhode Island is a Zealous Anabaptist, and the Lieu^t Governour as Zealous a Quaker: The Laws to bind us to the Support of Dissenting Teachers are yet in force, and executed accordingly; and where any Pretence of Lenity is made it is in such thin Colours as may be easily seen thro; and appears no Security to us from those Hardships our churches have a long time, and do still complain of and groan under."

The Church of England clergy had not been allowed their rightful voice in the affairs of Harvard College; Yale stood in direct opposition to the Church. Both institutions "strike an Insupportable Damp on the minds of all our Young Students." Even the attempts of the Anglican clergy to convert the New England Indians had been impeded by the jealousy of the Congregationalists. Their efforts to bring the Sachem of the Narragansett Indians into the Church "has already raised many fierce and unnatural resentments against some of us who are instrumental in the affair, and we fear all possible opposition to us here, and the worst representation of the case before the Society, and wherever else any possible assistance may be expected."⁵⁰

The New England clergy continued to hold their conventions. The burdens which they endured was a recurrent theme of their address to the Society and the Bishop of London. Sometimes the recommenda-

⁴⁸Perry: *Historical Collections, Massachusetts*, pp. 191-200.

⁴⁹Fulham MSS., *Massachusetts*, Box 1., #141 (*Library of Congress transcript*).

⁵⁰Perry: *Historical Collections, Massachusetts*, p. 225.

tions took in local and immediate needs, such as the want of a resident missionary at Westerly, Rhode Island, and the advantages of appointing a minister to that field.⁵¹

In May, 1738, the members of the Church of England petitioned the Connecticut General Assembly, regarding their failure to share in certain funds. An act had been passed at New Haven, whereby the money raised from the sale of the land in seven townships laid out in the western part of the colony was appropriated to schools or to the support of Congregationalist or Presbyterian ministers, to be divided in such a way as to preclude the Church of England schools and ministers from any benefits. Another act had been passed, by which the public money from the last emission would be appropriated to the support of the Congregationalist ministers. The memorial urged that the Church of England should have received its share. 636 males—all above the age of sixteen—signed the petition; and the same was referred to the October session. At that time, both houses resolved in the negative.

On the 29th of March, 1739, seven clergymen joined in a letter to the Society for the Propagation of the Gospel, describing the measures which had been taken by the Independents to discriminate against the Church of England. They told of the disposition of the receipts from the land sale and the refusal of the General Assembly to allot the Church a share in the same; and they mentioned certain flagrant examples of abuse. For instance, a London gentleman had donated land in New Haven to the Reverend Jonathan Arnold, as trustee; an Anglican church was to be built on the property. When Arnold started to take possession, however, "a great number of people . . . beat his cattle and abused his servants, threatening both his and their lives to that degree that he was obliged to quit the field."

"Upon the whole we have abundant Reason to conclude from the Treatment we meet with, That it is the Design of this Government, not only to prevent the Growth of the Church in this Colony, but even utterly to destroy it in its Infancy, which we fear they will be able in a great Measure to accomplish if they have no Check from a Superior Authority at Home. We do therefore most humbly beseech the Hon^{ble} Society, to take Notice of the oppressed Condition of our People, & (if they in their great Wisdom & Goodness shall think proper) to lay it before the King and Council, or otherwise, if possible to devise some Method for our Relief."⁵²

⁵¹Perry: *Historical Collections, Massachusetts*, pp. 291-292. (May 23, 1733).

⁵²*Documentary History of the Protestant Episcopal Church, I.*, 166-169; S. P. G. B-Series, VII., Part I, 23-26 (Library of Congress transcript).

The Connecticut clergy, assembled at Fairfield, August 24th, 1742, addressed the Bishop of London on their difficulties. Again they mentioned "the want of a Bishop to reside among us" as "a very great obstruction to the propagation of religion in this remote part of the world." They expressed their gratitude, however, for the Bishop's good offices to the Church in appointing commissaries, and suggested that such a representative be appointed for their colony. The Reverend Samuel Johnson was named as worthy of consideration. All the missionaries of Connecticut signed the request for a commissary—or at least supported it—with one exception. But no commissary was appointed.⁵³

With the increasing desire for a resident bishop, the conventions of the New England clergy became more frequent. On the 5th of June, 1765, the Connecticut ministers, convened at Hebron, addressed the Bishop of London, urging the appointment of one or more bishops for the colonies. They also enclosed a petition to the King in the hope of furthering their object. For some time they had held annual meetings on the Wednesday following Trinity Sunday; but how long this practice had continued is uncertain.⁵⁴ On the 5th of September, the Connecticut clergy "accidentally convened;" at that time they assured the Society for the Propagation of the Gospel that they and the members of their congregations had remained loyal notwithstanding the great commotions which had arisen because of the Stamp Act. Their people esteemed it "nothing short of rebellion to speak evil of dignities, and to avow opposition to this last act of Parliament."⁵⁵

The clerical conventions in Massachusetts had been allowed to lapse into irregularity; but in September, 1765, those who followed the remains of Doctor Timothy Cutler to the grave met at the house of the Reverend Henry Caner, and determined to hold annual conventions, with a view to promoting mutual love and harmony—"for the purpose of cultivating a brotherly affection, and of supporting each other with united counsels, under any difficulty or embarrassment that may happen to take place, in any particular parish." Caner, as the senior clergyman of the province, assumed the leadership.⁵⁶

The first convention of the Massachusetts clergy, in pursuance of this plan, was held in Boston, June 1st, 1766. Fourteen ministers were

⁵³*Documentary History of the Protestant Episcopal Church, I., 181-182.*

⁵⁴*Fulham MSS., Connecticut, #30, #62 (Library of Congress transcript).*

⁵⁵*Documentary History of the Protestant Episcopal Church, II., 81.*

⁵⁶*Fulham MSS., Massachusetts, Box I., #153 (Library of Congress transcript).*

present; Caner presided. A service was held in King's Chapel; and a dinner followed, at which the Governor of the province was present. "We made something of an appearance for this Country when we walked together in our Gowns and Cassocks," said one of the participants.⁵⁷

The Connecticut clergy convened at Wallingford, May 28th of that year. It was voted to acquaint the Bishop of London "with the Conduct of y^e Chhs. in these difficult times; and also concerning y^e taking away Children from the God Fathers." The convention expressed a desire to unite with the clergy of New York and New Jersey. Mr. Abraham Beach, a graduate of Yale, was recommended to the Bishop for ordination. The next convention was appointed for New Haven, the second Wednesday in October.⁵⁸

The Connecticut clergy met on the 8th of October, but at Stratford instead of New Haven. A letter was written to the Bishop of London, lamenting "that it should not be in the power of his Grace and your Lordship, and all the other friends to the Church and true Religion that are left, to have so much Interest & influence in it as to procure a worthy Protestant Bishop or two, in some of these Colonies, especially since the Roman Catholics are so happy as to be indulged with a popish one, & the Moravians with theirs, & the presbyterians &c. have the full enjoyment of their way of Government & Discipline, & the poor Church of England is considered by them with contempt, that she cannot enjoy hers; nor indeed so much as a shadow of anything that can be called Ecclesiastical Government." The fact that some of the principal colonies do not desire bishops, they averred, was in fact the strongest reason for sending bishops over, since they had never had any ecclesiastical government or order, and among them the cause of religion had sunk to the lowest ebb and some of their clergy were neglecting their duties and leading unworthy lives. Twelve clergymen, including Doctor Samuel Johnson as president of the convention, signed the address.⁵⁹

The Massachusetts and Rhode Island clergy, "both missionaries and others," met in convention June 17th, 1767; and reported to the Society for the Propagation of the Gospel "some few things relative to these Churches."

⁵⁷Perry: *Historical Collections, Massachusetts*, p. 524.

⁵⁸*Historical Magazine of the Protestant Episcopal Church*, III., 56-57.

⁵⁹Fulham MSS., Connecticut, #23 (Library of Congress transcript); *Documentary History of the Protestant Episcopal Church*, II., 100-102.

"In general the missions of these Governments are in a laudable State, but we are sorry to say that Christ Church in Boston is still affected & greatly suffers by the divisions that prevail in it."

They stated that the Church at Cambridge was unsettled since the former rector's resignation, but was "now happily supplied by the arrival of the Rev^d Mr Sargent." The missionary at Lyons was "labouring very diligently & not with^t good Success;" he was also serving at Bridgewater and Middleborough. An incumbent was suggested for the proposed mission at Georgetown on the Kennebec River. After describing the state of the Church in the province, the address included a plea for the Society's influence in obtaining bishops for America.

"We flattered ourselves that such an extensive territory as was heretofore possessed & hath since been added to the British Dominions by the last war would certainly have been followed by some provision of this kind, but especially the late popular tumults in these colonies we imagined would have strongly pointed out the necessity of such a step towards the uniting and attaching the colonies to the mother Country and have silenced every objection that could be raised against it."⁶⁰

When the Massachusetts clergy convened in Boston, September 22nd, 1768, they reported to the Society for the Propagation of the Gospel that the general state of the churches was as good as might reasonably be expected under present troubles.

"All that we are able to do in these times is only to cultivate among the people committed to our care a spirit of peace & patience under the various insults to which they are exposed for refusing to join in the popular clamours that now prevail. We are neither allowed to speak nor scarcely to be silent unless we join with those whom we believe to be laboring the destruction of our constitution, civil & religious. The civil government is too weak to afford us protection; & ecclesiastical superior we have none on this side of the Atlantic, from whom we may receive timely advice or direction under our present trials. We can only look up to God & cast ourselves upon the divine Providence for protection & for a happy issue to our distress."⁶¹

On May 29th, 1771, a Connecticut clergy convention renewed its plea for a bishop. The clergy were still hopeful of receiving the same; and they felt that the Church was in a precarious position through the lack of an American episcopate.⁶²

⁶⁰Perry: *Historical Collections, Massachusetts*, pp. 530-532.

⁶¹*Ibid.*, p. 541.

⁶²*Documentary History of the Protestant Episcopal Church, II.*, 176-177.

GENERAL OBSERVATIONS

In reviewing the gatherings of the clergy during the colonial period, we are driven to certain observations.

1. The conventions were more or less informal. This was to be expected, since the conventions lacked authority and remained voluntary meetings to the very end. No one was empowered to enforce their resolutions. Only the commissaries—and all the colonies did not fall under the commissarial jurisdiction—were vested with official powers; and even the commissaries found their position circumscribed by local conditions, political supervision, and the difficulties incident to their distance from the See of London.

2. Commissarial visitations were not the same as voluntary conventions; yet there was much in common. The visitation started with a stimulating charge or sermon. Parochial reports were presented; thus the clergyman's work was brought under inspection. There was opportunity for free discussion, for the exchange of ideas, and for the cultivation of fraternal relations.

3. In those colonies in which the Society for the Propagation of the Gospel in Foreign Parts supported the missionaries and their work, the clergy were directly accountable to the Society. They were required to submit semi-annual reports of their activities. The voluntary conventions, therefore, had no right to demand parochial statements from the clergy attending; nevertheless brief reports were sometimes submitted, and cognisance was taken of local problems, vacant fields, and opportunities for missionary enterprise. Several times the Society and the Bishop of London were apprised of the needs of a particular locality through the communications of the conventions.

4. Unjust advantages, discrimination, political oppression, and financial difficulties loomed large in the discussion and deliberations of the conventions. It must be remembered in this connection, however, that in several of the colonies the Church suffered a tremendous handicap, and the ministers were the victims of a ruthless policy. Governors were not always friendly; and there was no resident bishop to take a firm stand on behalf of Church and clergy.

5. The conventions were by no means motivated exclusively by self-protection. The extension of the Church among the Indians, the instruction of the negroes, loyalty to the Crown, and the cultivation of godly living among the people, all these had an important place in the discussions.

6. The conventions were training schools; notwithstanding their irregularity and infrequency, they paved the way for the future gen-

eral and diocesan conventions. Thereby the clergy learned the value of assembling together; they found that there was strength in presenting a united front. They gained practice in parliamentary procedure. They acquired an independence of action.

7. The conventions were not more frequent prior to the Revolutionary War, largely because the clergy lacked the pressing and compelling incentive to convocation, and to a lesser degree because of the lack of strong leadership in certain colonies. The stipends of the missionaries were pretty well assured; and the clergy recognised their accountability to the Society and to their ecclesiastical superiors back home rather than to each other. The utmost in their power was to draw up petitions and lay their grievances before the Bishop of London, the Society, and the King, or else plead with the provincial assemblies; but they had no executive authority. Aside from the desire for brotherly intercourse and mutual inspiration, there was usually no urgent cause for the gatherings; hence they often lapsed.

Affairs were quite different in the Church as organised after the colonies became independent. Then the Church was thrown upon its own resources; it could no longer look to the mother country for maintenance and support; it could not expect help from the national or state government. Conventions were necessary for the regulation of its affairs, fiscal as well as spiritual. Furthermore, the Episcopal Church, as an incorporated institution, was vested with power and authority; the deliberations of its conventions did not terminate as discussions and petitions, but could body themselves into constitutional provisions and canonical legislation. Hence the convention became and has remained a continuous and organic feature of the Protestant Episcopal Church in the United States of America. None the less, the convention of to-day is a lineal descendant of the old-time voluntary convocation and commissarial visitation.

THE MAKING OF THE CHURCH'S
CONSTITUTION

1782 - 1789

THE STATE OR DIOCESAN CONVENTIONS OF
THE WAR AND POST-WAR PERIODS

By Walter Herbert Stowe

THE INTERSTATE MEETINGS AND GENERAL
CONVENTIONS OF 1784, 1785, 1786 AND 1789

By William Wilson Manross

THE STATE OR DIOCESAN CONVENTIONS OF THE WAR AND POST-WAR PERIODS.

By Walter Herbert Stowe.

IN its wider sense, the "making" of the Church's constitution had its roots in the Anglican heritage of the American Episcopal Church and in the colonial background, particularly through the conventions of the colonial clergy and other measures of corporate action. In the narrower or technical sense of conscious efforts to formulate a written instrument as a bond of unity and corporate life and to secure its acceptance by the various units of the Church most vitally concerned, the "making" of the Church's constitution can be rather definitely dated as being between 1782 and 1789. It is in this narrower or technical sense that the term is here used.

Because there was action and reaction between the state or diocesan¹ conventions on the one hand, and the interstate or general conventions on the other; and because the latter reflected in large measure the convictions, principles and opinions of the former; the history of the state or diocesan conventions is properly a part of the process of the "making" of the Church's constitution.

I. CONVENTIONS DURING THE REVOLUTIONARY WAR

It used to be a matter of some surprise that a Church which was not supposed to be trained in corporate action and which is generally admitted to have suffered more by the Revolutionary War than any other in America, could have adjusted itself to such changed conditions, organized itself, and produced such an admirable constitution for its American environment. But Dr. Pennington has placed us in his debt by marshalling the surprising amount of evidence, hitherto little known, which shows that the Church, especially in the North, was not untrained in corporate action and had developed some telling leadership.

Moreover, new evidence has come to light which shows that even during the war, the clergy of Connecticut held an astonishing number

¹The terms "diocese" and "diocesan" were not a part of the constitution of the Episcopal Church, and, therefore, were not officially used, until 1838. Up to that time it was the "Church in the State of A or B". See below: Dr. Norwood's article, "Constitutional Developments Since 1789".

of conventions. Through the opportune cataloging of the Jarvis Papers in the Massachusetts Diocesan Library,² we now have available the minutes of the conventions of the Connecticut clergy for September 21, 1774; June 4-6, 1776; July 23, 1776; May 23-25, 1780; June 12-14, 1781; June 18, 1783; and in addition to those of June 8, 1784, and August 2, 1785, first published five years ago,³ the following of the Post-War period: May 30, 1787, and September 15-16, 1789. These will be considered in due order in this article. While they are not as full in some particulars as we might wish, they nevertheless cast revealing light upon the critical conditions which "tried men's souls."

1. IN CONNECTICUT: 1774-1781

At a convention held at Norwalk, September 21, 1774, the Connecticut clergy (no names are listed and no other business is recorded) drew up a public statement, defending themselves against the growing violence of their opponents. "We have had much laid to our Charge, and have been industriously held up to view, as entertaining and propagating Principles unfriendly to the Charter Rights and Privileges, and subversive of the Laws of this Colony." They proceed "to lay before the public the Sentiments of this Convention; and to exculpate ourselves from what we apprehend unjust Censure laid upon particular Instances of our Conduct."

They assert that they are not only "Friends to Government in its general Idea," but they "bear good Affection, and real Attachment to the Government, as it is settled in and administered to, the Charter Rights and Privileges of this Colony;" and they "warmly wish its Preservation and hope interruptedly to enjoy it."

Regretting and lamenting, on the one hand, the interruption of "the due Operation of Law" by "illegal intestine Commotions and Broils," or "any Infringement of superior Authority" on the other, "yet any Measures to redress actual Grievances, or ward off impending Ones, which the Laws of God, or the Realm authorize, we believe and maintain are justified to be taken."

To the particular charge that they had not celebrated "Divine Service on the Fast of the 31. of August last," they answer that they are not aware that such omission was a "Breach of any Laws of this Colony."

²See, "A Description of the Manuscript Collections in the Massachusetts Diocesan Library", *Historical Records Survey*, WPA, Boston, 1939, pp. 21-22.

³The original minutes of 1784 and 1785, in the possession of the Rev. Dr. Howard C. Robbins of the General Theological Seminary, New York City, were published in *HISTORICAL MAGAZINE*, III. (March, 1934), pp. 57-64. Verbatim copies of the other convention minutes listed above will be published in a subsequent issue.

"The Dissenters in England hold themselves exempt from observing the Days appointed by the national Church, and enjoin'd by the whole Authority of the Kingdom: The Rights of Conscience are here pleaded, and their Brethren in America allow the Validity of the Plea; and yet will not allow that they are on that Account, worse Subjects in the State, or less Friends to the Constitution of the Kingdom; and we see no good Argument why the same should not be granted in full Force to us, and we exempt from the contrary Inference. We claim in this Case the Rights of Conscience, and the Acceptance of this Claim rests upon the common Right we have to be believ'd."

They conclude by declaring their "Innocence as to the Charge, founded on mere Surmise, of our writing Things Home that are inflammatory and obnoxious to the good of the Colony." In writing to the Society or persons in England, "we have not made, nor are we disposed to make Political Matters, or any of the Controversies now subsisting, our Concernment, . . . but have adhered only to our Clerical Character and Office."

On June 4, 1776, ten of the Connecticut clergy again convened in convention at Waterbury.⁴ Abraham Jarvis was elected president and John Sayre, secretary *pro tempore*, the stated secretary being absent. We do not know who the stated secretary was. A service and sermon were regular items in each convention program, sometimes more than one, the preacher and his substitute being assigned a year in advance. The principal business of this convention was the adoption of a plan whereby the vacant congregations in Connecticut—Litchfield, Danbury, Sharon, and Hebron—might be provided with four services a year, divided among sixteen clergymen, each taking one service. Even in such troublous days there were a few who had the courage to seek Holy Orders in the then unpopular Church. John Nichols of Waterbury was the candidate and the convention subscribed to "recommendatory Letters in his Favor to the Society and to the Lord Bishop of London." If ordained, he never appears to have served in the American Church. Before adjourning to meet a year hence, a Standing Committee consisting of James Scovil, Samuel Andrews, Bela Hubbard, Abraham Jarvis, and John Sayre, was appointed. Thus we see how firmly rooted in American history and experience is that institution, peculiar to the Episcopal Church, the Standing Committee.

But critical events necessitated another convention in less than two months. From July 23-25, 1776, the clergy met in New Haven in Bela

⁴The others, besides Jarvis and Sayre, were: James Scovil, Samuel Andrews, Bela Hubbard, Richard Clarke, Daniel Fogg, Gideon Bostwick, John R. Marshall, James Nichols.

Hubbard's house. Eight of the Connecticut clergy and John Bowden of New York attended.⁵ Jarvis was again president and Sayre secretary *pro tempore*. The Declaration of Independence of July 4th precipitated a crisis for all Anglican clergy, and this convention "proceeded to consider what Measures will be most proper and prudent for them to adopt for y^e Promotion & Preservation of Peace and Security of the Congregations under their care."

On July 24th, after canvassing "the Sentiments of the Convention" as to whether they could "go on as usual in the Performance of Divine Service in our Churches consistently with the general benefit of the Church and our own personal Security, considering the Declaration of Independency (sic) . . . it was unanimously resolved that we cannot."

Jarvis as president then moved for the sense of the convention as to "whether it is in our Power to make or submit to any alterations in the Liturgy of the Church of England as it is now by Law established, consistently with our duty and our Solemn obligations." The answer was in the negative. Since their actions in this matter were fairly general among the Anglican clergy in the North, and since the reasons which actuated them in their course are not generally understood, and since their statement of them is the best we have ever found, we give them here in full:

"1st. Because at the time of our Ordination, we Solemnly bound ourselves by Oaths, Promises and Subscriptions that we would use the form of Prayer and Administration of the Sacraments provided in the Book of Common Prayer and none other: as will appear from a Perusal of the Oath contained in the Offices for the ordination of Priests & Deacons and the three Articles contained in the 36th Canon.

2^{ly}. Because we being only Presbyters in the Church are not by any means invested with authority sufficient to entitle us to make any Mutilations or Alterations, either in her Government or Worship—and if we should attempt it we apprehend we should attempt a Sacrilegious invasion of the Authority and privilege of a Superior Order.

3^{ly}. Because should we make or submit to any alterations as above mentioned we should incur the Penalties denounced in the 38th Canon viz. Suspension, Excommunication and Deposition.

But they did not intend to leave their people spiritually destitute.

⁵The others besides Jarvis and Sayre from Connecticut were: Richard Mansfield, Samuel Andrews, Bela Hubbard, Richard Clarke, John R. Marshall and James Scovil.

"For the Spiritual comfort and emolument of their People" they agreed—

"That if we should open our churches and read the Holy Scriptures, together with some approved practical Commentaries on them; read the Homilies or other orthodox Sermons published by Divines of our Church, or any pious Tracts which may be thought most proper for the perfect State of the Church, to examine the Children in their Catechism and read approved Lectures thereon, and also to continue all the occasional Services when requisite (except the Celebration of the Holy Eucharist, which we think should only be used for the present in the Chambers of y^e Sick), it will have a tendency to promote a great part of y^e general intentions of public religious incitings & that the retired devotions of the people may make up in a great measure for the unavoidable deficiencies—and that such a mode of procedure will preserve us in a conscience void of offence towards God & towards man."

On July 26th, after determining to acquaint the absent brethren of Connecticut and those of the conventions of New York and New Jersey with their proceedings, the convention adjourned.

If any Connecticut conventions were held between 1776 and 1780, the records have not yet been found. The next of which we have minutes is that of May 23-25, 1780, at Derby, the cure of Richard Mansfield. Seven of the clergy were present. Richard Clarke was president, James Scovil, chaplain, and Abraham Jarvis, secretary. The others, besides those named, were Samuel Andrews, Bela Hubbard, and John R. Marshall.

The convention took into consideration "the Sentiments & Doctrines lately adopted by the Rev^d M^r Tyler" of Norwich, and the next day—

"It was agreed that a conventional Letter be wrote to M^r Tyler, expressive of their Concern at his Deviation from the Doctrines of the Chh. and their Apprehensions of the Tendency and Consequ^s that it will have upon the Chh. in general, with respect to her Interest, Union and Harmony: and as advisory relative to what is tho't prudential as to his Conduct: and what they as his Brethren in the Ministry desire and expect from him."

From these minutes we do not know what Tyler's derelictions were, but from one of his own letters^a we can make a fairly accurate deduction. In July 1776, upon the vote of his parishioners, Tyler had closed the Norwich church rather than omit the prayer for the King;

^aSee, Beardsley, E. E., "History of the Episcopal Church in Conn.", Vol. I., pp. 320-321.

but on November 27, 1778, at a meeting of his Anglican parishioners, "the people voted almost unanimously to open the church, omitting the prayers for the King and Parliament." Tyler's reasons for so doing were:

"That the cause of religion ought not to be annihilated on a civil account; that public worship was of too much consequence to be totally omitted on account of a few words in a liturgy; that my obligations, though binding at first, could not be so to use the whole Liturgy now, when matters were so much altered. Christ's kingdom is not of *this world*, and so may exist without the civil powers: an obligation that becomes wrong, or impossible to adhere to, is of course null and void."

Scovil, Hubbard and Jarvis were the committee to draft the letter to Tyler which, however, is not given in the minutes; but was read to and approved by the convention and signed by the secretary.

Tyler's course was later approved by the Society and by the Bishop of London. Under date of December 3, 1781, writing from London, Dr. Thomas B. Chandler wrote Abraham Beach of New Brunswick:⁷

"The state of your case and that of the Connecticut clergy, I presented to the Society and to the Bishop of London. Though they did not choose to give a *formal* answer in this kind of *casuistry*, yet they authorized me to assure all parties concerned that, under the present situation of affairs, the use of the Liturgy, with omitting the prayers for the King, provided others for the Congress were not substituted in their place, would not meet with their censure or disapprobation. Of this I desired Mr. Cooke to inform you, as he tells me he did; but as you seem to be desirous of having it immediately from me, I now give it to you under my own hand and seal.

"The *Canons* of the Church must for the present, give way to the CANNON of Congress; and *strict regularity* of conduct is the business of *regular* times. In the meanwhile, an honest man will not give up his *principles*; and while he is not able to fulfill the *letter* of the law, he will be careful not to counteract the *spirit* of it."

Three laymen waited on this convention and requested the clergy to supply the destitute church at Milford. The convention accordingly fixed a schedule of services of once a month with the clergy serving in rotation.

⁷S. A. Clark, "History of St. John's Church, Elizabeth Town, N. J.", 1857, p. 199.

Mr. Philo Shelton was entered on the minutes as a candidate for Holy Orders. He was later one of the first four clergymen ever to be ordained in the American Episcopal Church—all four being ordained by Bishop Seabury at the same time and place, August 3, 1785, at Middletown, Conn.

At the convention held at Litchfield, January 12-14, 1781, ten clergymen were present⁸. Roger Viets was president, Samuel Andrews, chaplain, and Abraham Jarvis, secretary. If any business of importance was transacted, it was not recorded in the minutes. Perhaps the war situation was too uncertain for any unusual action. Cornwallis' recent successes in the South, during the year 1780, appeared to give the Loyalists the edge. That conventions were being held must have been known since Mr. Nichols of Northbury and Cambridge brought in a petition from the people of Cornwall "for the Approbation of the Convention, that Mr Allen a young Gentleman of that Town should read Prayers & Sermons to them." This proposal the Convention approved and encouraged the young man to believe that if he qualified himself, they would nominate him for Holy Orders, "should the State of the Public admit of their so doing."

The convention voted to meet at Middletown on Wednesday in Trinity Week, 1782, but no minutes of that meeting, if held, have been found.

2. IN MARYLAND⁹

In 1776 the establishment of the state government of Maryland deprived the clergy of their legal support which they had enjoyed for three generations. Moreover, they were forbidden to preach or otherwise officiate in the ministry unless they took the required oath to the new state in violation of part of their ordination vows. Of the 44 rectors and 10 or more curates, some 24 resigned their parishes and seven more subsequently died. In 1780, of 47 parishes ministered to by 25 clergymen, 17 were vacant.

In 1779 the General Assembly of Maryland passed the "Vestry Act" for electing vestries in the existing parishes and giving to such vestries in fee simple, the glebes, churches and other church property, and the appointment of ministers, but making no provision for their support. Such was the Erastianism of the day that it was proposed in the Assembly that the Church be organized by legislative enactment, and ordainers be appointed for supplying the ranks of the clergy. This

⁸The others than those mentioned were: Richard Mansfield, James Scovil, Bela Hubbard, John Tyler, Richard Clarke, John R. Marshall and James Nichols.

⁹For the Maryland conventions of 1780, 1781 and 1782, see: Dr. Ethan Allen's accounts, appended to the *Maryland Diocesan Journal* of 1878, pp. 138-154.

latter proposal was prevented through the efforts of the Rev. Samuel Keene of St. Luke's Parish, Queen Anne's County, who appeared before the Assembly and pleaded against it.

On November 9, 1780, three clergymen (Keene, Dr. William Smith, and James Jones Wilmer) and 24 laymen assembled in convention at Charlestown, Kent County. Dr. Smith was president and Wilmer secretary.

"A petition to the General Assembly of Maryland for the support of public religion was then read and approved, and ordered to be sent to each Vestry in the State; and if by them approved, after obtaining signatures in their respective parishes, it was to be carried up to the legislature."

It was at this gathering that Wilmer "proposed that the Church known in this province as Protestant be called 'the Protestant Episcopal Church,' and it was so adopted." This appears to have been the first use by a church assembly of the name the American Episcopal Church has since borne.

Dr. Allen found in certain vestry records under date of April 5, 1781, that deputies were appointed "to meet at Chestertown such other gentlemen appointed by the vestries on the Eastern Shore, to petition the General Assembly of the State to pass an act for the maintenance of the Gospel agreeable to the present constitution of Government." But it is not certainly known that the meeting was held.

From a letter of the Rev. James Jones Wilmer to Bishop Claggett, dated May 6, 1810, a meeting of the clergy and laity on the same subject took place in 1782 on the Western Shore in Baltimore, but no minutes have survived.

II. "THE CASE OF THE EPISCOPAL CHURCHES IN THE UNITED STATES CONSIDERED"

Active fighting between the colonies and the mother country practically ceased with Cornwallis' surrender at Yorktown, October 19, 1781. But it was over a year—November 30, 1782—before the preliminary articles of peace were agreed to, and almost two years before the definitive Treaty of Peace was signed—September 3, 1783. For almost a year then after Cornwallis' surrender, it seemed unlikely that Great Britain would recognize the independence of the United States for a long time to come, following the precedent of Spain and the revolting Dutch Republic.

On August 6, 1782, a pamphlet by a young presbyter thirty-four years old was advertised in the *Pennsylvania Packet*. Its title was *The*

Case of the Episcopal Churches in the United States Considered,¹⁰ and the author was William White. Both were to have a profound influence upon the making of the constitution of the American Episcopal Church.

A succinct summary of this influential pamphlet must here suffice. After stating that members of the Episcopal churches "are not a little anxious to see some speedy and decisive measures adopted for its continuance" and that "all good men must lament the cessation of public worship, which happened to many of the Episcopal Churches, and threatens to become universal," Dr. White lays down certain postulates:

1. The connection between the Episcopal Churches in America and the Bishop of London "is dissolved by the revolution," and American Churchmen must no longer be dependent upon a foreign jurisdiction.

2. In the Southern states where the Episcopal Church had been established by law, the establishments have been abolished.

3. The future continuance of the churches "can be provided for only by voluntary associations for union and good government."

4. Since "all denominations of Christians are on a level" before the law, complete separation of church and state is to prevail, the church is to be independent of the state, and is to avoid "whatever may give the churches the appearance of being subservient to party."

5. Since the exercise of the lay voice in ecclesiastical affairs through Parliament is now impossible, the direct representation of the laity in the councils of the Church as a fundamental principle of its organization is proposed.

He next expounds the principle of "the equality of the churches; and not, as in England, the subjection of all parish churches to their respective cathedrals;" and, further, that in any association of churches, each church shall retain "every power that need not be delegated to the whole."

Then follows in Chapter III White's "sketch of a frame of government" which outlines the diocese, the province, and the General Convention, substantially as we have them today.

The Diocese: "In each smaller district, there shall be a general vestry or convention, consisting of a convenient num-

¹⁰An accessible reprint is to be found in Perry's "Reprints", Vol. III., pp. 416-435. An extended exposition, with copious quotations from it, will be found in the writer's chapter, "The Presbyterian", in "The Life and Letters of Bishop White", pp. 63-76. Also, HIST. MAG., VI., pp. 64-77.

ber (the minister to be one) from the vestry or congregation of each church"

The Province: "The assemblies in the three larger districts may consist of a convenient number of members, sent from each of the smaller districts within their bounds, equally composed of clergy and laity . . . the presiding clergyman to be always one, and these bodies to meet once in every year."

The General Convention: "The continental representative body may consist of a convenient number from each of the larger districts, formed equally of clergy and laity, and among the clergy, formed equally of presiding ministers and others; to meet statedly once in three years."

Concerning the province, White was 130 years ahead of his time, for it did not make its appearance in the Constitution until 1913. And the deputies to General Convention have never been elected by the provinces but by the dioceses. But who can say that in view of the great size and growing unwieldiness of General Convention, this development may not some day take place?

Chapter IV of *The Case* is taken up with a discussion of Episcopacy, including a very skillful defence of it in a republic, but since the episcopal "succession cannot at present be had", he proposes the continuation of the ministry without it *for the time being*. The last two chapters, V and VI, are devoted to justifying "a departure from the principles of the Church of England" for a season; but once his premise, "the episcopate cannot be had," is not accepted or is proved untrue, his whole argument in the last chapters falls to the ground. White admitted this, and this explains his withdrawal of the pamphlet when the first intimations of peace with the mother country reached him, immediately after it was first advertised for sale.

III. STATE CONVENTIONS OF 1783

1. IN CONNECTICUT AND NEW YORK

White's *Case* was almost as influential in what was rejected as in what was accepted. It galvanized the Connecticut clergy into action. They would not accept for one moment his premise, "the episcopate cannot be had." Four months after the preliminary articles of peace were signed at Paris (November 30, 1782), but five months before the definitive Treaty of Peace (September 3, 1783), ten of the fourteen clergymen still in Connecticut gathered in convention at Woodbury on March 25, 1783. This famous "voluntary convention" (Jarvis' designation of it) has been called a "secret meeting." This is not an

accurate statement of the facts. The meeting was not secret. It was, as we have seen, one of a series of conventions of the Connecticut clergy held before and during the war, no one of which appears to have been held secretly. Not even all of the business was kept secret. They were alarmed over White's *Case* and the convention instructed the secretary, Abraham Jarvis, "to express our opinion of the mistaken and dangerous tendency of the pamphlet" which he accordingly did in a long letter to White.¹¹ They rejected White's proposal for continuing the ministry without bishops on the plea of necessity—"that the episcopate cannot be had."

"Can we plead necessity with any propriety, till we have tried to obtain an Episcopate, and have been rejected? We conceive the present to be a more favourable opportunity for the introduction of bishops, than this country has before seen. However dangerous bishops formerly might have been thought to the civil rights of these states, this danger has now vanished, for such superiors will have no civil authority. They will be purely ecclesiastics. . . . No danger, then, can now be feared from bishops, but such as may be feared from presbyters. . . . And on the other hand, is there any reason to believe, that all the bishops in England, and in all the other reformed Churches in Europe, are so totally lost to a sense of their duty, and to the real wants of their brethren in the Episcopal Church here, as to refuse to ordain bishops to preside over us, when a proper application shall be made to them for it?"

The convention then proceeded to test out their belief and to secure an answer to their questions by making out what they considered a proper application. And this was the part of their business which they kept "a profound secret even from their most intimate Friends of the Laity" for some time, and from White for over a year. The minutes of this convention have not been found, but from correspondence which has survived,¹² the convention designated two as their nominees for the episcopate, and authorized Jarvis as secretary to persuade one of them to accept. The two selected were Jeremiah Leaming and Dr. Samuel Seabury, both refugees at the time in New York. The former was Connecticut's outstanding presbyter; the latter had been born there but his ministry had been spent in New Jersey and New

¹¹See in full, *White's "Memoirs"*, 2nd Ed., pp. 282-286; DeCosta ed., pp. 336-340. The letter is dated Woodbury, March 25, 1783.

¹²Accessible copies are: (1) *Letters of Daniel Fogg, of Pomfret, Conn., to Samuel Parker, of Boston: Perry's "Reprints"*, III., 214-216; (2) *Letters of Jarvis and others to the Archbishop of York, ibid.*, pp. 224-228; (3) *Bp. Seabury's letter to Dr. Morice, of the S. P. G., ibid.*, pp. 242-244; (4) *HIST. MAG.*, I., p. 131, *Leaming to Peters*.

York. Leaming declined the tendered offer, but Seabury agreed to go to England at his own expense and seek consecration. Jarvis' letter to the Archbishop of York¹³ was dated New York, April 21, 1783. Shortly after May 24th, 1783, Seabury sailed for England.

In the meantime the Connecticut clergy had the moral and active support of the clergy then in New York, 18 in all, including refugee clergymen from other states—New Jersey, Connecticut, New Hampshire, Rhode Island, Pennsylvania, and Maryland—who held a convention on March 26, 1783.¹⁴ They addressed two letters to Sir Guy Carleton, governor of New York, requesting him to ask for the appointment of a bishop for Nova Scotia, now populated with refugees of both clergy and laity, and another for the United States. The convention suggested Dr. Thomas B. Chandler, then in England, for Nova Scotia, and endorsed Connecticut's choice of Dr. Seabury for the United States. Several of the clergy present later signed Seabury's testimonials to the Archbishop of York.

On June 18, 1783, a second Connecticut convention of that year was held at Simsbury, the minutes of which are among those recently discovered.¹⁵ Ten clergymen were present, Fogg was president and Marshall secretary. Jarvis was absent. Unfortunately we do not know from the minutes or otherwise what business was transacted. Whatever it was, it took three hours, from 8 to 11 a. m., and we may assume that communications from Jarvis, detailing the outcome of his mission, were read and discussed.

2. IN MARYLAND

The imminence of peace stirred the Church in Maryland to corporate action. During the first annual commencement of Washington college, Chestertown, May 12-15, 1783, sundry of the clergy being present, they petitioned the General Assembly that the clergy might have leave to consult on the Church's welfare.¹⁶ The petition was granted.

On August 13, 1783, fifteen clergymen but no laymen assembled at Annapolis. Dr. William Smith was president, William West, secretary. They adopted a "Declaration of Fundamental Rights and Liberties" which may be summarized as follows:¹⁷

¹³The see of Canterbury was then vacant, Dr. John Moore not being appointed Archbishop of Canterbury until April 26th, 1783.

¹⁴J. W. Lydekker, *"The Life and Letters of Charles Inglis"*, p. 219, where the full list of the clergy in attendance is given.

¹⁵Mass. Diocesan Library, Boston. Those present were: James Scovil, Samuel Andrews, Roger Viets, Bela Hubbard, Richard Clarke, John Tyler, Gideon Bostwick, Daniel Fogg, John R. Marshall, James Nichols.

¹⁶Ethan Allen, *Maryland Diocesan Journal*, 1788, pp. 148-150; Perry, III., pp. 20-21.

¹⁷Perry, *ibid.*, III., pp. 22-27, for the Declaration in full.

1. It is the undoubted right of the Protestant Episcopal Church "to compleat and preserve herself as an *entire Church*," "and to have the free Enjoyment and free Exercise of those purely *spiritual powers*," which "are to be maintained *independent* of every foreign or other jurisdiction."

2. "That an *Episcopal Ordination and Commission* are necessary to the valid Administration of the Sacraments, and the due exercise of the *Ministerial Functions* of the said Church."

3. It is "an essential Right of the said Protestant Episcopal Church to have and enjoy the Continuance of the said *three orders of Ministers* forever, so far as concerns Matters *purely spiritual*" and only those episcopally ordained should be admitted into "any of the churches, chapels, or glebes or other property formerly belonging to the Church of England."

4. "That it is the right . . . of the said Church, when duly organized, constituted, and represented in a Synod or Convention of the different orders of her Ministry and People, to revise her Liturgy, Forms of prayer, and public Worship, in order to adapt the same to the late Revolution, and other local Circumstances of America"

They then addressed a letter to Governor William Paca of Maryland, who was a Churchman, enclosing a copy of the above Declaration and asking his advice as to the need of the General Assembly's approval. Paca replied that it was unnecessary, since "every Denomination of Clergy are to be deemed adequate Judges of their own spiritual Rights, and of the ministerial Commission and Authority necessary to the due Administration of the Ordinances of Religion among themselves."

The clergy then proceeded to elect Dr. Smith as bishop of Maryland and on August 16, 1783, signed his testimonial to the Bishop of London. He was never consecrated.

Governor Paca knew how to distinguish between his official and his private opinions, between his office as governor and his office as a layman of the Church. Under date of September 12, 1783, he wrote a letter to General Joseph Reed wherein he reflects an attitude which is probably typical of that of the laity in the South towards conventions made up solely of the clergy.¹⁸ It is one of few lay expressions of opinion which have survived and is worth quoting rather fully:

¹⁸A photostat copy of the original letter is in the Virginia Diocesan Library, Richmond, and the writer is indebted to Dr. G. MacLaren Brydon, Historiographer of the Diocese of Virginia and Associate Editor of HISTORICAL MAGAZINE, for a copy of it. The original of this letter is owned by Mr. William Paca of Maryland, a great-great-grandson of Governor William Paca.

"As to their proceedings [the clergy convention of August 1783] they can be viewed in no other light than the private opinion and sentiments of so many clergymen of such a Church: What they have done can have no legal effect or obligation upon any Body: there is no constitution formed or established or can be so without the consent of the Episcopalian laity: they have never yet been consulted nor have they exprest any opinion about it.

"As to your first question I answer and say *for myself* the Episcopalian clergy shall not represent our Episcopal Church independently of the laity. As to the intentions of my countrymen I don't know what they are as none have been exprest on the subject but I think I can tell what they will be.

"As to your second question I don't well understand what is meant by the recommendation of a particular gentleman to the Bishop of London. Who gave the recommendation? I have heard that the clergy at their late meeting in order to establish and perpetuate the Order of Bishops among us and Episcopal ordination requested Mr. Smith to go to England and be ordained a Bishop if he could procure such an ordination. On his return it was said he might ordain Bishops enough for every State and in such numbers as to ensure a perpetual order of them—As to any rank, Precedence, authority either with regard to the rest of the Bishops or Clergy or with regard to our Church or the Laity or our Parishes or Glebes I never heard of any, nor is it possible that anything of this nature could have been determined upon by the Clergy at their late Meeting. In short the Clergy may meet and meet again but there never will be an Episcopal Church established in Maryland *without the Laity*. The Clergy may *assemble* and *propose* but the Laity must *adopt* or *consent*.

"As the Declaration of the Clergy did not, as far as I could judge, exceed the Doctrines of the Church of England I saw no impropriety or anything wrong in it.

"I hope it has not been represented that I have *recommended* any particular person for *Bishop* or *President*. I can assure you I never did: for I am one of those who think a Bishop unnecessary. . . ."

Whether the Governor meant by the last statement that he was "one of those who think a bishop unnecessary" for Maryland at that time or for the Church at large at any time, it is impossible from his letter to tell. But it helps us to understand why seven years were to go by before there was a bishop in any Southern state and nine years were to elapse before Maryland was to have its first bishop.

IV. STATE CONVENTIONS OF 1784

On May 24, 1784, in consequence of preliminary conferences initiated during the preceding March by the clergy and duly appointed laymen of the Philadelphia churches for the purpose of conferring "concerning the formation of a representative body of the Episcopal Church" in Pennsylvania, a representative gathering of clergy and laity of Pennsylvania met in Christ Church, Philadelphia, to consider ways and means "for the preservation of their communion." This was the first duly authorized ecclesiastical assembly of the Episcopal Church in any of the States at which laymen were deputies.¹⁹ Dr. White was chairman; William Pollard, layman, clerk.

The meeting appointed "a standing committee of the Episcopal Church" in Pennsylvania, consisting of clergy and laity; empowered it "to correspond and confer with representatives from the Episcopal Church in the other states," and "to assist in framing an ecclesiastical Government;" ordered that any constitution framed by the committee be reported to the several congregations, and that such constitution shall be binding on all congregations consenting to it. The Standing Committee, in framing a constitution, was to be "bound by the following instructions or fundamental principles," later known as the "Pennsylvania Resolutions," and exceedingly influential outside of that state:²⁰

First. That the Episcopal Church in these states is, and ought to be, independent of all foreign authority, ecclesiastical or civil.

Second. That it hath, and ought to have, in common with all other religious societies, full and exclusive powers to regulate the concerns of its own communion.

Third. That the doctrines of the gospel be maintained, as now professed by the Church of England; and uniformity of worship continued, as near as may be, to the liturgy of the said Church.

Fourth. That the succession of the ministry be agreeable to the usage, which requireth the three orders of bishops, priests, and deacons; that the rights and powers of the same, respectively, be ascertained; and that they be exercised, according to reasonable laws, to be duly made.

Fifth. That to make canons, or laws, there be no other authority, than that of a representative body of the clergy and laity conjointly.

¹⁹White's "Memoirs", p. 86.

²⁰Reprints of Journals of the Diocesan Convention of Pennsylvania, pp. 5-7. The reader should note that the first interstate meeting of the Church looking towards union was held in New Brunswick, N. J., on May 11th, just before this Pennsylvania convention. See below: Dr. Manross' article.

Sixth. That no powers be delegated to a general ecclesiastical government, except such as cannot conveniently be exercised by the clergy and laity, in their respective congregations."

It should be noted that it was intended, according to Dr. White,²¹ that "a general Constitution for ye Continent" should be formed, "which we think shd be attempted before we venture to form a Constitution for this State in particular," and the fundamental principles were instructions to the committee in their consultations with those in other states looking to that end.

The Standing Committee as appointed consisted of four clerical and eight lay members; Dr. White was chairman and a layman, Dr. Clarkson, was clerk. Through the hands of the chairman of this committee passed an immense correspondence with the Church's leaders in almost all of the other states and with many abroad.

During the fall of 1783 Dr. Seabury ran into obstacles in the way of his consecration by the English bishops. The first was, "that it would be sending a Bishop to Connecticut, which they have no right to do without the consent of the State." To meet this he dispatched several letters to the Connecticut clergy asking them to remove this difficulty by consulting the political authorities. On January 13, 1784, the clergy assembled in convention at Wallingford,²² and appointed Leaming, Hubbard and Jarvis as a committee to collect the opinions of the leading members of the Connecticut Assembly concerning the right of a bishop consecrated abroad to live among them, and to communicate to Dr. Seabury their findings.

On June 8, 1784, the annual convention of the Connecticut clergy was held at New Milford with seven present; Leaming was president; Jarvis, secretary.²³ The committee's report of its activities and its letter to Dr. Seabury were approved. No special permission of the legislature was necessary, the authorities had no doubt of the Church's right to have a bishop, consecrated abroad, live in Connecticut, and by a recent act of the Assembly a bishop "will stand upon the same ground that the rest of the clergy do, or the church at large."

The Rev. Messrs. Beach, Bloomer and Benjamin Moore, in pursuance of the plan of the recent interstate meeting at New Brunswick, attended this convention and invited them to enter into a correspond-

²¹*White's letter to Parker, Perry, III., p. 61.*

²²*The minutes of this convention have not been found. For the pertinent letters in full, see: HIST. MAG., III., 158-179. Also, E. E. Beardsley, "Hist. of the Episcopal Church in Conn.", I., 358-360; "Life and Correspondence of Samuel Seabury", p. 112.*

²³*These minutes were published for the first time in HIST. MAG., III., 57-58.*

ence "for the setting a Uniformity in y^e Epis: Chh. & to meet them in a Conventⁿ proposed to be holden at N. Y. on the Tuesday after the Feast of S. Michael." The convention agreed to this and appointed Leaming, Mansfield and Jarvis a committee "to form a Plan for such Settlement, & to report the same to the (Conn.) Conven: that will be held at N.(ew.) H.(aven) the Time of the Commencement in Septem^r." ²⁴

As we have seen, the Maryland convention of 1783 which drew up the "Declaration of Rights" had no laymen present. But at the convention of June 22, 1784, ²⁵ lay delegates from the different parishes attended. When the "Declaration of Rights" was laid before them, "the Lay Delegates desired Leave to retire and consult upon the same," which they proceeded to do, paragraph by paragraph, and ended by approving them unanimously. This convention adopted some additional fundamental principles, which may be summarized as follows:

1. Any bishop, priest or deacon obtaining ordination in any foreign state was forbidden "to take or subscribe any obligation of obedience, *civil* or *canonical*, to any foreign power or authority whatsoever."

2. "According to what we conceive to be of true *Apostolic Institution*, the Duty and Office of a *Bishop*, differs in nothing from that of other *Priests*, except in the power of Ordination and Confirmation; and in the Right of Precedency in ecclesiastical Meetings or Synods, and shall accordingly be so exercised in this Church; the Duty and Office of *Priests* and *Deacons* to remain as heretofore." Any further distinctions and regulations in the different orders of the ministry which might later "be found necessary for the good government of the Church" shall only "be made and established by the *joint Voice and Authority of a Representative Body of the Clergy and Laity*, at future ecclesiastical Synods or Conventions."

3. "The Clergy should be deemed adequate Judges of the ministerial Commission and Authority which is necessary to the due Administration of the Ordinances of Religion in their own Church; and of the *literary, moral and religious* Qualities and Abilities" of any candidates for any order of the ministry; "but the approving and receiving such Persons to any particular Cure, Duty or Parish . . . is in the People who are to support them, and to receive the Benefit of their Ministry."

4. "Ecclesiastical Conventions or Synods of this Church shall consist of the Clergy and one Lay-Delegate or Representative from each Vestry or Parish."

²⁴The New Haven minutes have not been recovered, but for Beach's report to White on the attitude of the New Milford convention, especially regarding lay representation, and for their final decision at New Haven as to Connecticut's part in the New York interstate meeting, October 6, 1784, see below: Dr. Manross' article.

²⁵Perry, "Reprints", III., 29-32.

Most of the above "principles" as well as those in the original "Declaration" may seem very commonplace to the modern reader. But at the time of their original adoption they were quite radical to many and their influence was great in framing the Church's constitution.

During the War of Independence all of the Anglican clergy left Massachusetts except Samuel Parker of Boston and Edward Bass of Newburyport.²⁶ By 1784 the number had increased to five—William Willard Wheeler at Scituate and Marshfield, Stephen C. Lewis of Christ Church, Boston, and Nathaniel Fisher of Salem. Five or six other churches were supplied with lay readers. In New Hampshire there were only two Episcopal churches, Portsmouth being without a clergyman, and Claremont was soon to lose the S. P. G. missionary—Ranna Cossit—to Canada. In Rhode Island there were three churches, exclusive of the one at Bristol burned by the British. John Graves, S. P. G. missionary, was at Providence, and Moses Badger, formerly S. P. G. missionary in New Hampshire, at Newport.

These seven clergymen gathered in Boston on September 8, 1784,²⁷ elected Graves as "Moderator" and Fisher as secretary, and adopted as their own the Pennsylvania Resolutions, with slight modifications of the first and fifth articles. The first article was so qualified as not to allow the independence of the Episcopal Church to preclude its securing the episcopate from some foreign country. To prevent the relatively few clergymen from being subject to laws which the greater number of laymen might vote, it was provided in the fifth article that "the Laity ought not to exceed or their votes be more in number than those of the Clergy."

They next adopted three significant motions: (1) Parker, Bass, and Fisher were appointed a committee of correspondence with the clergy of other states; (2) they authorized a circular letter "in the name of this convention" to the clergy of Connecticut, New York and Pennsylvania, "urging the necessity of their uniting with us in adopting some speedy measures to procure an American Episcopate;" (3) Parker was authorized to represent Massachusetts and Rhode Island in any general meeting of the Episcopal Church in the United States, which he did the following month in New York.

The circular letter, signed by John Graves as Moderator, reviews the convention's actions, and then presses for the immediate procurement of the episcopate:

²⁶*Letter of Parker to White: Perry, ibid., III., 57-59.*

²⁷*Original minutes in the Massachusetts Diocesan Library; also, Perry, ibid., III., 63-66.*

"But it is our unanimous Opinion that it is beginning at the wrong end to attempt to organize our Church before we have obtained a head. Our Churches at present resemble the scattered Limbs of the body without any common Centre of Union, or Principle to animate the whole. We cannot conceive it probable or even possible to carry the Plan you have pointed out into Execution before an Episcopate is obtained to direct our Motions, & by a delegated Authority to claim our Assent. It is needless to represent to you the absolute Necessity of adopting & uniting in some speedy measures to procure some reputable Person who is regularly invested with the powers of Ordination, &c. to reside among us, without which scarce the Shadow of an Episcopal Church will soon remain in these States. Many are the Congregations here destitute of a Clergyman, & we must be left to the disagreeable Alternative of having no Church in many of our Settlements where there would probably be a respectable one, or of having clerical Powers conveyed in an irregular manner."

They wish the episcopate to be procured "in the most regular manner & particularly from our mother church in England."

"We are extremely anxious for the Preservation of our Communion & the Continuance of an Uniformity of Doctrine & Worship, but we see not how this can be maintained without a common head, & are therefore desirous of uniting with you in such Measures as shall be found expedient & proper for the common good."

The Scottish bishops agreed with the tenor of this appeal but the English bishops did not. Because the latter in effect demanded that the scattered limbs of the body be first gathered together before they would supply the head, the Church waited another two and one-half years for its full complement of three bishops.

On October 27, 1784, following the interstate meeting of that month in New York, the clergy and lay delegates of Maryland gathered in convention at Chester.²⁸ They adopted additional "Constitutions" respecting the future discipline and government of this Church in annual or general conventions:

1. General conventions, consisting of the different orders of clergy and laity, shall have power and authority to discipline scandalous members, clerical or lay; enact canons; alter church services, the liturgy or points of doctrine. Clergy and laity are to deliberate in one body, but where demanded, they are

²⁸Perry, "Reprints", III., 32-33.

to vote by orders; the concurrence of both orders being necessary for the enactment of any measure.

2. Future conventions shall annually appoint a "Standing Committee," consisting of an equal number of clergy and laity, to have such authority as the convention shall delegate to it.

Here again we have a remarkable foreshadowing of several important features of the Church's constitution. Connecticut, however, never accepted the proposal of lay members on the Standing Committee, and to this day has none. Strange as it may seem, in view of the above, Maryland itself did not permit laymen on the Standing Committee for over 100 years—until the first decade of the present century.

By the end of 1784 the lineaments of the future constitution of the American Episcopal Church were fairly discernible. It was to be a daughter of the Church of England, but a daughter who had set up housekeeping for herself and independent of all foreign control. The "convention" and the "standing committee", both the fruit of the American Church's own history and experience, were to be basic in every diocese. The laity, along with the clergy, were to have a direct and equal voice and vote in the councils of the Church. Bishops were somehow to be obtained, and the idea of continuing the ministry without them had been largely given up. A union of the churches in the various states was felt to be imperative and some kind of a *general* convention was to be the heart of this union. The right of such a general convention to revise the discipline and worship of the Church was generally admitted, but in New England the exercise of this right was denied until bishops were present as a recognized part of General Convention. During the next year the "making" of the Church's constitution was to be greatly accelerated.

V. STATE CONVENTIONS OF 1785

It is not within the province of this article to discuss at length the state conventions of 1785 and after, except as they had patent influence upon the making of the Church's constitution. Acting upon the recommendations and proposals of the New York interstate meeting of October 6, 1784,²⁹ the Church was organized in the states of Virginia, Pennsylvania, New York, New Jersey, South Carolina, Connecticut (Bishop Seabury assumed jurisdiction), and Massachusetts, Rhode Island and New Hampshire (the last three in one convention).

²⁹For this meeting, see below: Dr. Manross' article.

1. IN VIRGINIA

But the proceedings of the Virginia primary convention must be considered in some detail, for in the opinion of the late Bishop William Stevens Perry, noted historiographer of the Church:³⁰

"It is hardly too much to say of it, that in the influence it had upon subsequent legislation of the Church at large—in the principles it enunciates, and in the evidence it affords us of the temper and opinions of the Virginia Churchmen of that day, it is second in importance only to that of Maryland."

Up to the time of the New York interstate meeting of 1784 the Episcopal Church in Virginia was "so fettered by Laws, that the clergy could do no more than petition for a repeal of those laws—for liberty to introduce Ordination and Government and to revise and alter the Liturgy . . . In the Present State of Ecclesiastical affairs in this State, the Clergy could not, with propriety, and indeed without great danger to the Church, empower any Persons to agree to the least alteration whatever. . . ." ³¹ The Reverend David Griffith, therefore, could only attend the New York meeting *unofficially*.

Finally, in 1784, in response to the petition of the clergy, the General Assembly of Virginia passed an act³² incorporating the "Protestant Episcopal Church" and authorizing a convention "to consist of a deputation of two persons from each parish, whereof the Minister shall always be one, if there be a Minister in the parish, and the other person or persons shall be appointed by the Vestries." The convention was empowered

"To regulate . . . all the religious concerns of that church, its doctrines, discipline, and worship, and to institute such rules and regulations as they may judge necessary for the good government thereof, and the same to revoke and alter at their pleasure."

Forty persons, properly appointed, constituted a convention and the Virginia primary convention, consisting of 36 clergymen and some 70 laymen, assembled in Richmond, May 18, 1785. This convention proceeded to make up for lost time by spending eight days on the

³⁰Perry's "Reprints", III., p. 51.

³¹Letter of David Griffith to Dr. White, July 26, 1784, in Perry's "Reprints", III., p. 46.

³²A copy of the Act, together with reprints of all the early journals of the Virginia convention, may be found in the appendix to Francis L. Hawks: "Contributions to the Ecclesiastical History of the U. S. A.", Vol. I. (Virginia), 1836.

Church's business and filling a journal of 23 pages of small type compared with the two, three, or four pages of most of the other primary diocesan conventions. The Rev. Dr. James Madison was president, the Rev. Robert Andrews secretary.

The convention expressed its willingness "to unite in a general ecclesiastical constitution with the members" of the Church in the other states, and agreed to send a deputation of two clergymen and two laymen to the general convention to meet in September in Philadelphia, but the deputation was given instructions and the Virginia convention was left free to approve or disapprove of the proceedings of General Convention. The clerical deputies elected were David Griffith and Samuel Smith M'Croskey; the lay deputies, John Page and William Lee.

Virginia acceded to the fundamental principles of the New York interstate meeting except articles Four and Six.³³ Concerning the Fourth article, which set forth that the "Church shall maintain the Doctrines of the Gospel as now held by the Church of England, and shall adhere to the Liturgy of the said Church, as far as shall be consistent with the American Revolution and the Constitutions of the respective States," the Virginia convention refused to "bind themselves . . . until the same shall be revised, at the next General Convention at Philadelphia, and reported to the next Convention."

They refused to accede to the Sixth article which stated: "That the Clergy and Laity in Convention, shall deliberate in one Body, but shall vote separately; and the concurrence of both shall be necessary to give Validity to every Measure." This refusal meant that the laity in Virginia, since they outnumbered the clergy, could outvote the latter and dominate any convention.

The letter of instructions to the Virginia deputies, coupled with the convention's rejection of the Fourth article of the New York interstate meeting which called for a very conservative revision of the Prayer Book, was so influential in opening the flood gates of wholesale revision, resulting in the *Proposed Book* of 1785 and further delay in securing the consecration of bishops in England, that we give it in full, except for the first paragraph:

"Uniformity in doctrine and worship will unquestionably contribute to the prosperity of the Protestant Episcopal Church. But we earnestly wish that this may be pursued with liberality and moderation. The obstacles which stand in the way of union amongst Christian societies are too often founded on matters of mere form. They are surmountable therefore

³³For the articles in full, see below: Dr. Manross' article.

by those, who breathing the spirit of Christianity, earnestly labour in this pious work.

"From the holy scriptures themselves, rather than the comments of men, must we learn the terms of salvation. Creeds therefore ought to be simple: And we are not anxious to retain any other than that which is commonly called the Apostles creed.

"Should a change in the liturgy be proposed, let it be made with caution; And in that case let the alterations be few, and the stile of prayer continue as agreeable as may be to the essential characteristics of our persuasion.

"We will not now decide what ceremonies ought to be retained. We wish, however, that those, which exist, may be estimated according to their utility; and that such as may appear fit to be laid aside, may no longer be appendages to our church.

"We need only add that we shall expect a report of your proceedings to those whom we shall vest with authority to call a Convention.

"Done in Convention on this 22d day of May in the year of our Lord 1785."

"The Address of the Convention to the Members of the Protestant Episcopal Church in Virginia," prepared by the Rev. Messrs. David Griffith, John Burgess, John Bracken, Robert Andrews, and Messrs. John Page, Edmund Randolph, Carter Braxton, and Robert Walker, was a very stirring one, yet with elements of pathos. We cannot forbear quoting portions of it:

"For more than eight years our church hath languished under neglect. We will not, however, believe that her friends have revolted, and therefore trust that a knowledge of her present condition will rekindle their former affections."

Was a better statement of the Christian religion's usefulness to society ever penned than the following?

"Religion does not invite by inducements from eternal interest alone; society feels her benignity in remedying the defects of laws. Secret injuries to social rights escape the censures of government. From the constitution of human affairs, human wisdom cannot be certain, that an antidote applied to one evil will not produce another; and many are the duties of imperfect obligation, which no legislative provision can enforce. Nor can society at all times furnish incitements to virtuous conduct by rewards; and even if this were practicable, the most enlightened tribunal on earth could not be assured of the purity of the motive which gave

birth to the action rewarded. Religion, on the contrary, fixes the eye of conscience on deeds however remote from public view; arrests the hand of vice by holding forth the responsibility of man to his Creator; rescues benevolence from the vortex of self-love; administers self-complacency, that highest prize of merit; and withholds it in spite of partiality when it is not due.

"... We have enlisted ourselves under the banners of the Protestant Episcopal Church. Let us not desert this object of our choice, but, conscious of her scriptural authority, devote ourselves to her relief.

The state of the Church in Virginia is revealed by the following section, and, unfortunately, the worst was yet to be. In 1802 the Church lost the glebes, confiscated by the state.

"Of what is the church now possessed! Nothing but the glebes and your affections. Since the year 1776, she hath been even without regular government, and her ministers have received but little compensation for their services. Their numbers are diminished by death and other causes, and we have as yet no resources within ourselves for a succession of ministers. Churches stand in need of repair, and there is no fund equal to the smallest want."

The rest of the address is a moving exhortation to churchmen not to abandon the Church "in the hour of difficulty", with the earnest plea: "Let us not be the only example of a religious association withering from the want of support from its own members."

The Governor of Virginia referred to the convention a letter from Count de Rosenkrone, respecting the means of procuring ordination of American clergymen in Denmark, and the convention in turn referred it to the General Convention in Philadelphia.

The convention next resolved that "the Canons of the Church of England have no obligation" on the Church in Virginia and proceeded to fill up the void by adopting forty-three "Rules for the Order, Government, and Discipline" of the Church in Virginia. The first seven concern conventional procedure; Rules 8 to 22 regulate the offices and duties of bishops, priests and deacons; Rules 23 to 25 govern the duties of church wardens, parish clerks and sextons; Rules 26 to 28 are devoted to the discipline of bishops and Rules 29 to 34 to that of priests and deacons; Rules 35 to 43 regulate in still greater detail the duties of bishops, priests and deacons. Some of these "canons" are sound, some are startling, some are forbidding, some are amusing. Of the last three groups we give a few examples.

Rule Eight establishes "presbyteries" of not less than 3 nor more than 10 clergymen in each; the convention is to appoint for each "presbytery" a "visiter" (sic)

"who shall annually visit each parish in his district—shall attend to and inspect the morals and conduct of the clergy—shall see that the canons and rules of the church are observed, and that no abuses are practiced—shall admonish and reprove privately those clergymen who are negligent, or act in an unbecoming manner, and shall report yearly to the bishop", or to the convention if there be no bishop, "the state of each parish in his district, noting down the offenders and their offences."

Rule Ten requires the bishop to take the oath of allegiance to the commonwealth of Virginia. Rule Eleven copies the Maryland conception of the office of a bishop and requires that "every bishop shall continue to hold a parish and to do the duty of a parish minister."

Examples of forbidding canons are Rules 26 and 27 which provide that "bishops shall be amenable to the convention, who shall be a court to try them, from which there shall be no appeal;" and "all accusations against a bishop, as such, shall come from the vestries," three vestries being required to join in the complaint.

Modern clergy, never having been subject to this particular temptation, will be amused to know that under Rules 28 and 32, "taking a bribe to grant either ordination or a recommendation for a vacant parish," was listed as an offence in a bishop for which he might be brought to trial; and "taking a bribe to recommend either for ordination or a parish," would bring a priest or deacon to the same fate. The clergy of today will also be astonished to learn that the only canonical authorization known in the American Church for wearing clerical collars or other distinctive clerical garb, hails from Virginia under Rule 41, adopted by the convention of 1785:

"Ministers and deacons shall wear a surplice during the time of prayer at public worship, in places where they are provided; shall wear gowns when they preach, where they conveniently can; and shall at all times wear apparel suited to the gravity of their profession;—*such as may distinguish them from laymen.* (Italics ours.)

Virginia's Primary Convention concluded its business by authorizing a Standing Committee with extensive duties but with powers circumscribed by the requirement that their proceedings must be submitted "to every succeeding convention to be confirmed or rescinded."

What was the reaction of the Church in the North to the Virginia Convention of 1785? Chandler's caustic comment was probably typical of the attitude of most of the clergy north of Philadelphia:³⁴

"I hope you have not suffered greatly for want of this curious publication. A curiosity indeed it is for it exhibits such a motley mixture of Episcopacy, Presbytery and Ecclesiastical Republicanism as before was never brought together and incorporated, and must surprise the whole Christian world."

The weakness of the Virginia convention of 1785 was twofold: first, it fell into the error of "governing too much", against which Bishop White was always warning ecclesiastical bodies; second, by retaining the dominance of the laity over bishops and presbyters instead of establishing a partnership, the clergy were cowed, able clergy stayed out, unworthy clergy came in, and the Church was further weakened for the terrible period of irreligion which the next twenty-five years were to witness throughout the United States.

2. OTHER STATE CONVENTIONS OF 1785³⁵

On May 24, 1785, the Church in Pennsylvania was duly organized, an Act of Association was adopted, the New York principles (which, as Bishop White later said, were largely the Pennsylvania Resolutions of 1784) were acceded to, and deputies to the forthcoming General Convention were appointed.

In New York on June 22, 1785, the primary convention of the Church in that state assembled, consisting of five clergymen and eleven laymen, accepted the fundamental principles adopted in New York the previous fall, and appointed three clerical and three lay deputies to the General Convention of 1785.

New Jersey's primary convention assembled in Christ Church, New Brunswick, July 6, 1785, with three clergymen and fourteen laymen, representing eight churches. Abraham Beach, who in 1784 had become assistant minister in Trinity Church, New York, came out to preside and represented both New York and New Jersey in the General Conventions of 1785 and 1786. Dr. Chandler returned from England in 1785 after a ten year absence, and was elected with Beach and two other clergymen to make up the clerical deputation to

³⁴Letter of the Rev. Dr. Thomas B. Chandler to William Samuel Johnson, dated Elizabethtown, N. J., Dec. 28, 1785, in E. E. Beardsley's "Life and Correspondence of Samuel Johnson", p. 370. Johnson had lent Chandler a copy of the *Virginia Journal* of 1785.

³⁵The sources of these conventions are the different diocesan journals, unless otherwise noted.

Philadelphia, although he did not attend either the New Jersey or the General Convention. This clerical deputation together with six of the laity was empowered to accede to the fundamental principles of the New York meeting of 1784, "and to adopt such measures, as the said general convention may deem necessary for the utility of the said church, not repugnant to the aforesaid fundamental principles."

In South Carolina the primary convention convened in Charleston on May 12, 1785, but due to the small representation, consideration of the New York recommendations was adjourned to another meeting on July 12th. Even at this later date only three clergymen and lay deputies from only seven parishes attended. A layman, Hugh Rutledge, served as chairman. Little appears to have been done except to choose deputies to the General Convention of that fall. In order to secure compliance with the invitation, the Rev. Robert Smith, destined to be the first bishop of South Carolina, proposed "that there shall be no bishop settled in that State." This violent anti-episcopal attitude with which Smith had to contend, was due to two factors: (1) The laity could not envisage a bishop except as a pompous state official which they would not have; and (2) bishops in their minds must somehow be related to the British government against which there was great bitterness in South Carolina, the ravages of the war having been greater in that State than in any other.

The first convention of any Church in the United States to be attended by a bishop was that of Connecticut, which met at Middletown, August 2-7, 1785. Bishop Seabury returned to America, June 20, 1785, and at this convention³⁶ he was formally received and assumed his jurisdiction. Ten of the Connecticut clergy and Benjamin Moore of New York and Samuel Parker of Boston attended. The first ordination in the American Episcopal Church took place on August 3, 1785, four being ordered deacons by Bishop Seabury.

Parker communicated to this convention the thoughts of the Massachusetts clergy "of connecting themselves with them, under his Episcopal Charge. The Clergy of Conn: expressed th^r warmest wishes for the Union & concurrence of th^r Breth^{rn} in Massachusetts und^r Bp. Seabury."

A committee consisting of John Bowden, Samuel Parker and Abraham Jarvis, was appointed "to consider of & make some Alterat^{ns} in the Liturgy needful for the present Use of the Chh," to report at the convention to be held in New Haven on September 14, 1785.³⁷ Ac-

³⁶The minutes of this convention were first published in *HISTORICAL MAGAZINE*, III., pp. 59-64.

³⁷The minutes of this latter convention have not been found.

cording to Parker,³⁸ this committee did not act alone, but "attended" the Bishop, spent two days on liturgical revision, prepared substitutes for the state prayers which were recommended for immediate use in Connecticut and certain other alterations were suggested for consideration. We do not know what the other alterations were, but the evidence is that Seabury was ready for a more liberal revision of the Prayer Book than the laity of Connecticut. On November 28, 1785, he wrote Parker:³⁹

"Between the time of our parting at Middletown and the Clerical meeting at New Haven, it was found that the Church people in Connecticut were much alarmed at the thoughts of any considerable alteration being made in the Prayer Book; and, upon the whole, it was judged best that no alterations should be attempted at present, but to wait till a little time shall have cooled down the tempers and conciliated the affections of the people to each other. And since the Convention at Philadelphia, which, as report says, has abrogated two creeds and nineteen Articles, and taken great liberties with the Prayers, &c., we are more apprehensive of proceeding to any alterations."

Parker also states⁴⁰ that he urged Bishop Seabury to attend the General Convention of 1785 in Philadelphia but that the Fifth article of the fundamental principles adopted at New York, which provided merely that a bishop should be a member *ex officio* and failed to provide for his presidency in either a state or general convention, "discouraged him so much that no arguments I could use were sufficient to prevail with him." Seabury's own reasons as stated in a letter to Dr. White were:⁴¹

"It is a grief to me that I cannot be with you at your ensuing Convention. Neither my circumstances, nor my duty will permit it. I am utterly unprovided for so long a journey, not being, at present, master even of a horse."

With reference to the admission of the laity into the councils of the Church, the Bishop's own opinions, as distinguished from those of his clergy,⁴² should here be noted. Under date of August 15, 1785, he wrote a long and carefully reasoned letter on various funda-

³⁸Letters to White and Seabury, Perry's "Reprints", III., p. 90 and pp. 364-65.

³⁹Perry's "Reprints", III., p. 308.

⁴⁰Letter to Dr. White, Sept. 14, 1785, Perry's "Reprints", III. p. 90.

⁴¹Letter of August 19, 1785, Perry's "Reprints", III., 83.

⁴²For the views of the clergy of Connecticut on this subject, see below: Dr. Manross' article.

mental principles to Dr. William Smith which he wished the latter to read to the General Convention:⁴³

"From what has been said you will suppose I shall object to the admission of Lay members into Synods &c: I must confess I do, especially in the degree your fundamental rules allow. I have as great a regard for the laity as any man can have. It is for their sake that Ministers are appointed in the Ch'ch. I have no idea of aggrandizing the Clergy at the expense of the laity; nor indeed of aggrandizing them at all. Decent means of living is all that they have a right to expect. But I cannot conceive that the Laity can with any propriety be admitted to sit in judgment on Bps and Presbyters, especially when deposition may be the event; because they cannot take away a character which they cannot confer. . . . Should it be thought necessary that the laity should have a share in the choice of their Bp—if it can be put on a proper footing, so as to avoid party and confusion,—I see not but that it might be admitted."

After leading up to it by easy stages, Seabury secured the admission of the laity as full fledged members of the Connecticut convention of 1792.

On September 7 and 8, 1785, the convention of the Church in Massachusetts, Rhode Island and New Hampshire, met in Boston.⁴⁴ The four clergymen present were all from Massachusetts; of the twelve laymen present, two were from Rhode Island and one from New Hampshire. The Rev. Edward Bass was president; the Rev. Nathaniel Fisher, secretary.

This convention undertook a revision of the Prayer Book. They used the Middletown Paper No. 1 as a basis, but they went way beyond it—omitting the *descensus* clause in the Apostles Creed, omitting the Athanasian Creed entirely, making the Nicene Creed optional, and effecting a great number of other changes in the various offices too numerous to mention here. They did, however, distinguish between the Middletown substitutes for the state prayers and the other alterations, recommending the immediate use of the former and the postponement of the latter until the next convention could assess the actions of the Church in other states and the reactions of their own parishes. They voted not to send delegates to Philadelphia because

⁴³Perry's "Reprints", III., pp. 76-82. This letter is also to be found in Bishop White's "Memoirs", but there it is incorrect in several particulars and the following words in the section here quoted are omitted: "I must confess I do, especially in the degree your fundamental rules allow."

⁴⁴Minutes in the Massachusetts Diocesan Library; also, Perry's "Reprints", III., 92-99.

of the "very considerable" expense which "must fall upon one or two churches."⁴⁵ A copy of their proposed revision was sent to Dr. White and undoubtedly was a factor in encouraging the General Convention of 1785 to produce the *Proposed Book*.

VI. THE AFTERMATH OF 1785⁴⁶

The period between the General Conventions of 1785 and 1786 was one of disillusionment, dissatisfaction and increased tension. Dr. White ruefully admitted:⁴⁷ "On the whole, it was evident that, in regard to the liturgy, the labours of the convention had not reached their object." In South Carolina, where the convention appeared to have no objections to the *Proposed Book*, "the People in general are disgusted with it, more particularly, the Psalter."⁴⁸

In Virginia (May 24-31, 1786) it was adopted with the exception of the rubric before the Communion office—Virginia holding it to be intolerable that a minister should be allowed to repel an evil liver from the Eucharist.⁴⁹ The convention also instructed their deputies to the General Convention of 1786 to seek further amendments to the Articles of Religion, but the resolution was adopted by a divided vote, "not because of the alterations made, but because they were so few."⁵⁰ But the Virginia laity were dissatisfied with the *Proposed Book*, "partly owing to the people's being sufficiently satisfied with the old ones, and their apprehensions of future alterations, or to their not being generally adopted."⁵¹ On May 31, 1786, the Rev. David Griffith was elected Bishop of Virginia, but in 1789 he relinquished his appointment and died during the General Convention of that year.

Even in Pennsylvania (May 22-31, 1786) the deputies to the General Convention of 1786 were instructed to seek restoration of the Nicene Creed and its compulsory use on six of the greater festivals, together with other changes in the offices of Holy Communion, Baptism, Burial, and many changes in the Articles of Religion. At an adjourned session, on September 14th, 1786, the Reverend William White, D. D., was "unanimously chosen" Bishop of Pennsylvania.

In New York, after meeting on May 16-17, 1786, the convention adjourned to June 13-14, when consideration of the *Proposed Book* was "deferred to a future day," "out of respect to the English bishops,

⁴⁵Parker to White, Sept. 14, 1785, Perry, III., p. 91.

⁴⁶The sources of this section are the various Diocesan Journals, unless otherwise noted.

⁴⁷White, "Memoirs", p. 112.

⁴⁸Dr. Purcell to Dr. White, Perry, III., p. 330.

⁴⁹White, "Memoirs", p. 112.

⁵⁰Ibid., p. 112.

⁵¹The Rev. John Buchanan to Bishop White, Perry, III., 359.

and because the minds of the people are not yet sufficiently informed." On taking up the General Constitution of the Church as adopted by the General Convention of 1785, Article 1 to 7 and 11 were adopted; Article 8, pertaining to the amenability of bishops and other clergy to the convention of their diocese, was amended: "That the Bishop be amenable only to the authority of the General Convention", and not to his diocesan convention; Article 9, dealing with Prayer Book revision, and Article 10, concerning ministerial subscription to the Prayer Book, were suspended, pending decision as to what book should be authoritative. The Rev. Samuel Provoost, rector of Trinity Church, was "recommended for Episcopal consecration." The last act of this session was hardly conducive to promoting the unity of the Church, and reflected the hatred of Provoost for Seabury:

Resolved, That the persons appointed to represent this Church be instructed not to consent to any act that may imply the validity of Dr. Seabury's ordinations.

In New Jersey, May 16-19, 1786, "the political alterations in the Book of Common Prayer" were "unanimously approved;" the address of the General Convention to the bishops of England was "very agreeable to this convention;" "the further alterations in the book of Common Prayer" they did "not approve thereof;" and the General Constitution of the Church they did "not agree thereto."

Bishop White thus describes the atmosphere when the General Convention of 1786 convened:⁵²

"The convention assembled under circumstances, which bore strong appearances of a dissolution of the union, in this early stage of it. The interfering instructions from the churches in the different states—the embarrassment that had arisen from the rejection of the proposed book in some of the states, and the use of it in others—some dissatisfaction on account of the Scottish Episcopacy—and, added to these, the demur expressed in the letter from the English bishops, were what the most sanguine contemplated with apprehension, and were sure prognostics of our falling to pieces, in the opinion of some, who were dissatisfied with the course that had been taken for the organizing of the Church."

Such being the temper of the time, "the moderation which governed in this convention," says Bishop White, "must be conspicuous." There were two principal reasons for this moderate temper, according

⁵²*Memoirs*, p. 115.

to the Bishop: "one . . . was the moderation of the English prelates;"⁵³ the other was the memorial of the New Jersey convention which convinced the General Convention "that the result of considerable changes would have been the disunion of the Church", and, Dr. White had no doubt, "was among the causes which prevented the disorganizing of it."

New Jersey had the honor of initiating the first steps towards the union of the Episcopal churches at a critical period; it also had the honor of staying the forces of disunion in a crisis. This memorial,⁵⁴ therefore, must have our consideration.

On May 17, 1786, the Rev. Abraham Beach and Messrs. John DeHart, James Parker, Matthias Halsted and Henry Waddell were appointed a committee "to draught a memorial to the general convention . . . specifying the reasons which induced this convention to disapprove the proposed alterations in the Book of Common Prayer, and the aforesaid ecclesiastical constitution." On May 19, the committee's draught was read, debated and agreed to, and ordered signed by Beach as president. Bishop White states that it "was conjectured at the time," and that he afterwards "learned with certainty" that it "was drawn up by the Rev. Dr. Chandler of Elizabeth-Town." Although Chandler was not at the New Jersey convention and his name nowhere appears on the minutes in connection with it, Dr. White's statement can hardly be challenged, Beach and Chandler being very intimate.

The memorial very tactfully opens with an enumeration of the General Convention's proceedings which the New Jersey convention had approved, as stated above; but "the proceedings . . . have an undoubted tendency to prolong, if not entirely prevent, the obtaining of the prayer thereof;" and in this opinion they feel that they are supported by the reply of the English bishops. The memorialists admit the right of every national church to alter "the mode of its public worship;"

"But they doubt the right of any order or orders of men, in an episcopal church without a bishop, to make any alterations not warranted by immediate necessity, especially such as not only go to the mode of its worship, but also to its doctrines."

Such being the case, "all unnecessary alterations must be unseasonable and impolitic, and will prove highly detrimental to the

⁵³For discussion of this, see below: Dr. Manross' article.

⁵⁴Accessible copies in the *New Jersey Diocesan Journal* of 1786, and in White's "Memoirs", Appendix #7, pp. 298-300.

church in general." The manner of publishing the *Proposed Book* by a committee, with the psalms and kalendar transposed without the "revision and express approbation" of General Convention, and at such a late date, was disapproved.

"The prejudices and prepossessions of mankind in favour of old customs, especially in religious matters, are generally so strong as to require great delicacy and caution in the introduction of any alterations or innovations, although manifestly for the better; which was also one reason, why they could not at this time ratify the alterations so unnecessarily made; and they are very apprehensive, that until alterations can be made consistent with the customs of the primitive Church, and with the rules of the Church of England, from which it is our boast to have descended, a ratification of them would create great uneasiness in the minds of many members of the Church, and in great probability cause dissensions and schisms. Although they may not disapprove of all the alterations made in the said new book, yet they have to regret the unseasonableness and irregularity of them."

Desirous of "cementing, perpetuating and extending the union so happily begun in the Church, with all deference and submission," the memorialists "humbly request and entreat" the General Convention to revise the proceedings of the late convention and its committee and to remove every cause of jealousy or fear—

"That the Episcopal Church in the United States of America have any intention or desire essentially to depart, either in doctrine or discipline, from the Church of England; but, on the contrary, to convince the world that it is their wish and intention to maintain the doctrines of the Gospel as now held by the Church of England, and to adhere to the liturgy of the said Church as far as shall be consistent with the American revolution and the constitutions of the respective states . . ."

Thus will they be able to obtain bishops and complete "our ecclesiastical government," and secure to American Episcopalians and their descendents "a succession of that necessary order." The memorial concludes with a plea to the General Convention:

"That they will use all means in their power to promote and perpetuate harmony and unanimity among ourselves, and with the said Church of England as a mother or sister church, and with every protestant church in the universe."

VII. THE MENDING OF THE NET

The General Convention of 1786 succeeded fairly well in uniting the Church in the states outside of New England. But in the latter area the feeling resulting from the treatment of Bishop Seabury by that convention was far from amiable. And this displeasure was not confined to Connecticut; the Massachusetts clergy felt the same way. Both Parker and Bass practically charged that the brethren to the south, by questioning the validity of Seabury's ordinations, were creating a schism.⁵⁵

The Connecticut clergy, alarmed, indignant and bent on vindicating their rights, undertook to protect their Church if a schism were precipitated. On February 27, 1787, in convention at Wallingford, they decided to send another presbyter to Scotland for consecration as coadjutor to Seabury.⁵⁶ After both Leaming and Mansfield declined their election, Jarvis was chosen. But he was never required to go, first, because the Scottish bishops counselled caution and delay, and second, because the Church outside of New England had a change of heart. Several factors produced this: (1) Seabury's refusal to allow bishops and presbyters to be under the thumbs of the laity was largely substantiated by the English bishops, and with the cooling of tempers the wisdom of it became more widely recognized; (2) the inability or unwillingness of the Church in Virginia to provide money for Griffith's journey to England, the determined opposition to Smith's consecration in Maryland and elsewhere, and the little likelihood of any other diocese sending a bishop abroad, began to cause uneasiness and raise the question: Why do so, when we have three bishops in American to consecrate a fourth? (3) There were many good men, clergy and laymen, throughout the Church, in the South as well as in the North, who were unhappy at the thought of the Church's not being united.

In the fall of 1788, about eighteen months after his consecration, Bishop White began energetically to mend the tear in the net before it grew any worse. His greatest obstacle was Provoost's implacable enmity to Seabury which is one of the most discreditable chapters in American church history. In the former's eyes, Seabury was guilty of two unforgivable faults—churchmanship and politics, High in the one and Loyalist in the other, and the greater of these was politics.

⁵⁵For their letters on the subject, see: Perry, "Reprints", III., p. 324-326.

⁵⁶Beardsley, E. E., "History of the Episcopal Church in Conn.", I., pp. 399-401.

Note: The minutes of the Conn. convention of May 30, 1787, at Stamford, have been found in the Mass. Diocesan Library, but since they are entirely concerned with internal diocesan affairs, not pertinent to this article, they are omitted from this discussion.

If it had not been for White's mediatorship, Seabury's magnanimity, and Prevoost's providential illness which prevented his attendance at the General Convention of 1789, the union of the Church might have been still longer delayed. In mending the net White found a zealous and able coadjutor in Samuel Parker of Boston, and to White, Parker and Seabury—more than to any other three men—the Church must ever be grateful for achieving the complete union of the Church in 1789.

White wrote Parker urging Massachusetts' representation in the forthcoming General Convention and wishing the latter to work for "ye effecting of a junction with our brethren in Connecticut." Parker passed the letter on to Seabury who replied under date of December 16, 1788:⁵⁷

"All the difficulty lies with those Churches and not with us in Connecticut. I have several times proposed and urged a union. It has been received and treated, I think, coldly. And yet, I have received several letters urging such a union on me, as though I was the only person who opposed it. This is not fair. I am ready to treat of and settle the terms of union on any proper notice. But Bishops W. and P. must bear their part in it, actively, as well as myself; and we must come into the union on even terms, and not as underlings."

On June 20, 1789, in a long letter to Bishop White, and on July 23, in a shorter letter to Dr. Smith,⁵⁸ Bishop Seabury explained why his hands and those of the Connecticut convention were tied in the matter of the invitation to General Convention. The gist of the problem is stated in the following paragraph of his letter to Smith:

"The wish of my heart, and the wish of the Clergy and of the Church people of this state, would certainly have carried me, and some of the Clergy, to your General Convention, had we conceived we could have done it with propriety. The ground on which Bishop P. disputes the validity of the Scotch Episcopal succession can best be explained by himself: I know not what it is. And the ground on which the letters of Orders were called for from every Clergyman, in a former Convention at Philadelphia—if I have been rightly informed—in order to make a distinction between English and Scotch ordinations, they can best explain who were concerned in it. As I know not precisely how this matter ended, I shall say no more about it. But while this matter stands as it does, and

⁵⁷The pertinent correspondence is available in Perry, "Reprints", III., 376-379.

⁵⁸The two letters from Bishop Seabury's Letter Book, now in the possession of the Honorable Samuel Seabury, LL. D., of New York City, are to be found in Perry, *ibid.*, III., 384-389.

there is a Resolve on the minutes of the New York Convention strongly reflecting on Bishop Seabury's Episcopal character—while by your own Constitution no representation of Clergymen can be admitted without Lay delegates; and no Church can be taken into your union without adopting your whole plan, I leave you to say whether it would be right for me, or for my Clergy, to offer ourselves at a Convention where we could be admitted only in courtesy? Should we feel ourselves at home? Or, as being on an equal footing with the other ministers?"

How the first session (July 28-August 8) of the General Convention of 1789 enabled Bishop Seabury and the Connecticut convention to accept the cordial invitation to the second session (September 29-October 16), will be found expounded in the next article. We have only to consider the recently discovered minutes of the Connecticut convention of September 15-16, 1789, at Stratfield.⁵⁹ Bishop Seabury was not present; Leaming was president; Jarvis, secretary. The others present were: Mansfield, Hubbard, Shelton, Bowden, Sayre, Root, Clarke, and Prindle. The convention was especially called:

"To deliberate upon the Invitation rec^d from the gen^{al} Convention at Philadelphia by the Bishop and Clergy of the Chh in Conn^t to attend their Con: whh they had adjourn'd to that end to the 27 of Sep^r; and to consider on what Terms we can cooperate wh. that Body towards forming a general Union in the Chh throughout the united States."

After the reading of "the Letters and Prayer sent for the Perusal of this convention" and "such Part of the Journal of the Con. at Philad: . . . as related to the subject of a gen^l Union," they voted to send "clerical Delegates to meet the Conven: at Philadel."

"On Motion of Mr Bowden, Whether a *general Constitution*—(as the Word Constitution implies Rules & regulations for the Exercise of that Government which Ct. & his Apostles established in the Church) is necessary for effectuating a Union of all the Churches in the *United States*; Or whether it will not answer every essential Purpose for each State to form its own particular Constitution:—Resolved, That the *former* is by no Means necessary, and in the present State of the Church impracticable, and that the *Latter* is sufficient.

"On further Motion by Mr B., Whether the Deputies of this Church shall be empowered to confer with the general Convention upon the Subject of making Alterations in the Book of Common Prayer: Resolved, That they shall; but

⁵⁹In the Massachusetts Diocesan Library.

the Ratification of such Alterations as may be made, shall rest with the B^d & Clergy of this Church."

The Reverend Messrs. Bela Hubbard and Abraham Jarvis were elected deputies to the General Convention at its second session of 1789, where, in the providence of God, the former of the last two resolutions was overruled, and the latter effected, the Prayer Book was revised, the Church's constitution was "made", and the union of the Church consummated.

CONCLUSION

If we may say that Connecticut represented the "right" and Virginia the "left" in constitutional principles of church government, the American Episcopal Church found her true constitutional genius in neither the one nor the other; but by striking a balance, and by rejecting the dominance of any one order, she largely succeeded in establishing a harmonious partnership of the three orders of bishops, presbyters and laymen. The Church has always produced her richest fruits when that partnership has been effective; she has fallen on evil days when any one order has dominated the others. May the latter never recur; may the former always prevail!

THE INTERSTATE MEETINGS AND GENERAL CONVENTIONS OF 1784, 1785, 1786 AND 1789

By William Wilson Manross

THE FIRST INTERSTATE MEETING

THE first interstate meeting to discuss the problem of reorganizing the Church after the Revolution was held at New Brunswick, New Jersey, May 11, 1784. The publication, early in 1783, of the Reverend William White's pamphlet, *The Case of the Episcopal Churches in the United States Considered*, containing the outline of a scheme of church government,¹ had made him the center of an extensive correspondence upon the whole question of organization. Of the many suggestions which were offered him, one, which came from the Reverend Abraham Beach, rector of Christ Church, New Brunswick, New Jersey, was that a meeting be called of the members of a colonial corporation for the relief of widows and orphans of clergymen, to put the affairs of that corporation in order, and that as many of the clergy as could conveniently do so should assemble at the same time to consider the state of the Church and the measures which must be taken to preserve its life.²

White, although he was probably already working upon his own plan to secure a continental assembly through action by the Episcopalians in Pennsylvania, readily agreed to Dr. Beach's practical proposal, and, in a subsequent exchange of letters, it was decided that the meeting should take place in New Brunswick on May 11th and that "respectable characters of the laity," as well as all the clergy should be invited to attend.³

Actually, two separate meetings were held on the 11th. The mem-

¹William White, *The Case of the Episcopal Churches in the United States Considered*, Philadelphia, 1783. For an analysis of White's "Case", see above, Dr. Stowe's article, "The State or Diocesan Conventions of the Post-War Period."

²Beach to White, Jan. 26, 1784, *White Mss.*, Vol. I, in the Library of the New York Historical Society.

³Beach to White, Mar. 22 and Apr. 13, 1784. *White Mss.*, Vol. I. The minutes of the New Brunswick meeting and the pertinent correspondence are to be found in Wm. S. Perry's, "Journals of General Conventions," Vol. III. (Historical Notes and Documents), pp. 6-12, hereafter referred to as Perry's "Reprints."

bers of the corporation appointed a committee to call an official meeting, as there was no regularly elected secretary to do so. Then the ten clergymen and six laymen⁴ who had answered the more general invitation convened upon the affairs of the Church, and decided to appoint two committees. The first, composed of Beach and Joshua Bloomer and Benjamin Moore of New York, was to visit the clergy of Connecticut and ask their cooperation in plans for the revival of the Church. The members of the second, which included, besides the three clergymen just named, Samuel Provoost of New York, Uzal Ogden and William Ayers from New Jersey, and White, Samuel Magaw and Robert Blackwell from Pennsylvania, were "to correspond with each other and with any other persons for the purpose of forming a continental representation of the Episcopal Church, and for the better management of the concerns of said Church."⁵

This committee, supported by one appointed for the same purpose by the first diocesan convention of Pennsylvania (White being the most active member of both committees), called a second interstate meeting to convene in New York on October 6, 1784. The Pennsylvania committee, which had been authorized to cooperate with Episcopalians of other states in forming a constitution, delegated its power to such of its members as might attend the New York convention.⁶

Meanwhile, Beach, Bloomer and Benjamin Moore, as requested, had attended the Connecticut convention of clergy, June 8-9, 1784,⁷ and Beach in a letter to White, dated June 19, 1784,⁸ reported that "the Clergy there appear well disposed to join the Episcopal Church in the other States, in forming Regulations for the government of it, and for preserving uniformity of worship." But they ran into an objection on the part of the Connecticut clergy which was to play an important part in all proceedings of the next five years until the final adoption of the Church's constitution in 1789. Beach's statement of it is as follows:

⁴The clergymen were Drs. White and Magaw, and Robert Blackwell of Pennsylvania; Beach, Fraser and Ogden of New Jersey; Bloomer, Bowden, Benjamin Moore and Thomas Moore of New York.

The laymen were probably all from New Jersey: James Parker, John Stevens and Richard Stevens from Perth Amboy; John Dennis from New Brunswick; Cols. Hoyt and Furman have not been identified.

⁵Minutes, White Mss., Vol. I.; General Convention, Journals, 1784-1814, Philadelphia, 1817, preface. Also, Perry, *ibid.*, III., pp. 7-8.

⁶Typewritten transcript of records in the Christ Church Vestry Book, in the office of Christ Church, Philadelphia.

⁷For the minutes of this convention, see, HISTORICAL MAGAZINE, III (1934), pp. 57-58.

⁸Perry, *ibid.*, III., p. 12.

"They, indeed, made some Objection with respect to *Lay Delegates*. We informed them, in answer to their Objections, that it was thought necessary in some of the States, particularly in Pennsylvania, to associate some respectable Characters amongst the Laity, in order to give weight and importance to the Church; but we meant not to prescribe to *other States*—provided the *end* was obtained, we would not differ with them as to the *Means*, if they were only fair and honest. They replied, that they thought themselves fully adequate to the Business of representing the Episcopal Church in their State, and that the Laity did not *expect*, or *wish* to be called in as delegates on such an occasion; but would, with full confidence, trust matters *purely ecclesiastical* to their Clergy. They accordingly determined unanimously, to send a Comtee. of their body to represent the Episcopal Church of Connecticut at our intended Meeting in N. York, on the Tuesday after Michaelmas; and to get a representation of the States further eastward"

THE SECOND INTERSTATE MEETING OF 1784

On October 6th and 7th, 1784, the second interstate gathering, looking to the union of the Church, met in New York. Fifteen clerical and eleven lay delegates⁹ from eight states—Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware and Maryland, were in attendance. Virginia was *unofficially* represented by the Rev. David Griffith, since the Church and clergy of that state, "restricted by laws yet in force there, were not at liberty to send delegates or consent to any alterations in the Order, Government, Doctrine or Worship of the Church."¹⁰ Connecticut practically ruled itself out of the deliberations by a statement read by Marshall, their sole representative, "that the clergy of Connecticut had taken measures for the obtaining of an Episcopate; that until their design, in that particular, should be accomplished, they could do nothing; but that as soon as they should have succeeded, they would come forward, with their bishop, for the doing of what the general interests of the Church might require."¹¹

⁹MASS. and R. I.: Rev. Samuel Parker. CONN.: Rev. John R. Marshall. NEW YORK: Clergy—Provoost, Beach, Benj. Moore, Thomas Moore, Bloomer, Leonard Cutting; Laity—James Duane, Marinus Willet, John Alsop. NEW JERSEY: Clergy—Uzal Ogden; Laity—John DeHart, John Chetwood, Samuel Spragg. PENN.: Clergy—Drs. White and Magaw, Joseph Hutchins; Laity—Matthew Clarkson, Richard Willing, Samuel Powell, Richard Peters. DELAWARE: Clergy—Sydenham Thorn, Charles Wharton; Laity—Robert Clay. MARYLAND: Dr. William Smith.

¹⁰General Convention, *Journals, 1784-1814*, preface; fragmentary minutes, signed by William Smith, president of the Convention, *White Mss.*, Vol. I. Also, Perry, "Reprints," III., pp. 3-5, for accessible copy of the proceedings.

¹¹White, *Memoirs of the Church*, 2nd ed., p. 81.

This left only Parker of Massachusetts and the Pennsylvania delegation as *authorized* representatives, and "even from these states, there was no further authority, than to deliberate and propose. Accordingly, the acts of the body were in the form of recommendation and proposal."¹² Parker read to the meeting the resolutions and circular letter authorized by the Massachusetts and Rhode Island convention of September 8, 1784, stating that they had adopted the Pennsylvania resolutions of the previous May 25th, with two minor qualifications, "but it is our unanimous Opinion that it is beginning at the wrong end to attempt to organize our Church before we have obtained a head."¹³

Undeterred by these obstacles, the meeting organized with the Rev. Dr. William Smith as president and the Rev. Benjamin Moore as secretary. A committee of clerical and lay deputies, consisting of the Rev. Drs. Smith and White, Rev. Messrs. Parker and Provoost, and Messrs. Clarkson, DeHart, Clay and Duane, was appointed "to essay the fundamental principles of a general Constitution," and "to frame and propose to the Convention, a proper substitute for the State Prayers in the Liturgy, to be used for the sake of uniformity, till a further Review shall be undertaken by general Authority and Consent of the Church."¹⁴

On October 7th the meeting, after considering and amending the report of the committee, recommended to the clergy and laity of the Episcopal Church in the states not represented in New York as well as in those which were, that the Church be organized in the states where no organization had yet been effected, and that "they unite in a general ecclesiastical Constitution, on the following fundamental Principles:"¹⁵

1. That there shall be a General Convention of the Episcopal Church in the United States of America.
2. That the Episcopal Church in each State, send Deputies to the Convention, consisting of Clergy and Laity.
3. That associated Congregations in two or more States may send Deputies jointly.
4. That the said Church shall maintain the Doctrines of the Gospel as now held by the Church of England, and shall adhere to the Liturgy of the said Church, as far as shall

¹²White, *Memoirs of the Church*, 2nd ed., p. 80.

¹³Perry, *ibid.*, III., p. 5. For details of the Massachusetts Convention, see above, Dr. Stowe's article, in this issue.

¹⁴Perry, *ibid.*, p. 5.

¹⁵General Convention, *Journals, 1784-1814, Preface; White Mss., Vol. I. Also, Perry, ibid., III., p. 4.*

- be consistent with the American Revolution and the Constitutions of the respective States.
5. That in every State where there shall be a Bishop duly consecrated and settled, he shall be considered as a member of the Convention *ex-officio*.
 6. That the Clergy and Laity assembled in Convention shall deliberate in one Body, but shall vote separately; and the concurrence of both shall be necessary to give Validity to every Measure.
 7. That the first meeting of the Convention shall be at *Philadelphia*, the Tuesday before the Feast of St. Michael next; to which it is hoped and earnestly desired, That the Episcopal Churches in the respective States, will send their Clerical and Lay Deputies, duly instructed and authorized to proceed on the necessary Business herein proposed for their Deliberation.

In estimating the importance of this second interstate meeting the opinion of Bishop White is weighty:¹⁶

"At the present day, it may seem to have been of little consequence, to gain so considerable an assent, to what was determined at this meeting. But at the time in question, when the crisis presented a subject of deliberation entirely new, it was difficult to detach it in the minds of many, from a past habitual train of thinking. Some were startled at the very circumstance, of taking the stand of an independent Church. There was a much more common prejudice against the embracing of the laity in a scheme of ecclesiastical legislation. Besides these things, the confessed necessity of accommodating the service to the newly established civil constitution of the country, naturally awakened apprehensions of unlimited licence. Hence the restriction to the English liturgy, except in accomodation to the revolution; which restriction was not acquiesced in, as will be seen."

The next eleven months witnessed the organization of the Church in most of the states and the election of deputies to the more general convention to be held in September of 1785 in Philadelphia.¹⁷

THE CONVENTION OF 1785

September 27 to October 7

The convention of 1785 which included 16 clerical and 26 lay delegates from New York, New Jersey, Pennsylvania, Delaware, Maryland,

¹⁶*White, Memoirs, p. 81.*

¹⁷*For these organizing state or diocesan conventions, see above in this issue, W. H. Stowe, "The State or Diocesan Conventions of the Post-War Period."*

Virginia and South Carolina, might be called the constitutional convention of the Church, except that such a title would be inadequate to describe its accomplishments. It had before it three great problems: to form a constitution, to adapt the Prayer Book to the changed circumstances of the Church, and to secure the episcopate. Upon all of these subjects it took significant action. Its constitution began the continuous development of our Church government and determined its general pattern, except in one important respect—the bicameral character of General Convention, which was not fixed until 1789. The liturgical changes which it proposed, though they never received the formal sanction of the Church, exerted an important influence upon the first official revision, in 1789, and, therefore, upon the entire subsequent history of the American Prayer Book.

After organizing, with White as president and the Reverend David Griffith of Virginia as secretary, the convention proceeded to the consideration of the seven articles proposed in 1784. Of these it approved all except the fourth, but it attached to the sixth article the "explanation" that the deputies were to "vote according to the states from which they come and not individually." Instead of accepting the fourth article, it resolved to appoint a committee, composed of one clerical and one lay deputy from each state, to report such alterations in the liturgy as would "render it consistent with the American revolution and the constitutions of the respective states," and to suggest such further changes, beyond this necessary minimum, as it thought expedient for the convention to recommend to the Church.¹⁸

Ultimately, this work, the preparation of a constitution, and the formulation of a plan for obtaining bishops were entrusted to the same committee, composed as above,¹⁹ and thereafter the sessions of the convention were taken up chiefly with the consideration and approval of the work of this committee. As no detailed report of its proceedings was kept, it is impossible to say just what parts were played in its work by individual members. It is quite certain that White and probably Smith (who was chairman) exercised an influential leadership, because of their prominence in the whole convention movement,

¹⁸*General Convention, Journals, 1784-1814, pp. 5-6. The membership of the committee was as follows: The Rev. Samuel Provoost and James Duane of New York; The Rev. Abraham Beach and Patrick Dennis of New Jersey; The Rev. Dr. William White and Richard Peters of Pennsylvania; The Rev. Charles H. Wharton and James Sykes of Delaware; The Rev. Dr. William Smith and Dr. Thomas Cradock of Maryland; The Rev. David Griffith and John Page of Virginia; The Rev. Dr. Henry Purcell and Jacob Read of South Carolina.*

¹⁹See above footnote 18.

and it is probable that Provoost, Beach and Griffith also played roles of some importance.²⁰

The constitution, as finally submitted to the states, embodied the fundamental principles set forth in White's *Case* and in the six principles adopted by the Pennsylvania state convention under his leadership. It provided that there should be a general convention of the Church, which should meet every three years, beginning in 1786. Each state should be represented by from one to four clerical and the same number of lay deputies, and should have one vote on every question. There should also be a convention of clerical and lay delegates in every state.

In any state where there was a bishop duly consecrated and settled, who had acceded to the constitution, he should be, *ex officio*, a member of the convention. Each state was free to determine the mode of electing its bishop, and every bishop was to confine the exercise of his office to his proper jurisdiction, unless asked to ordain or confirm "by any church destitute of a Bishop." A Protestant Episcopal Church in any state not represented might be admitted to the General Convention on accepting the constitution.

Every minister, from the bishop down, was to be amenable to his state convention, and each convention was to provide rules for the conduct of its clergy, and an equitable mode of trial. The revision of the liturgy prepared by this convention was to become the official order of the Church as soon as it was approved by the states represented. Until then, the Prayer Book of the Church of England, modified to conform to the change in civil government, was to be in force. No one was to be ordained or permitted to officiate in the Church until he had declared his belief in the Holy Scriptures as the Word of God, and promised conformity to the doctrine and worship of the Church as set forth in the Prayer Book. The constitution, when ratified by the several states, was to be fundamental, and unalterable by the action of any state.²¹

The revised liturgy recommended by this convention—usually known as the *Proposed Book*—never received official acceptance, but

²⁰Bishop White states (*Memoirs*, 2nd ed., p. 97) that the committee was divided into sub-committees; that the constitution was drafted by himself in a sub-committee; that he drafted in sub-committee the resolutions covering the plan for obtaining the consecration of bishops and the address to the arch-bishops and bishops of the Church of England (p. 101); that the alterations in the Book of Common Prayer "were prepared by another sub-division of the general committee than that to which the author belonged. When brought into the committee, they were not reconsidered; because the ground would have been to go over again in the convention" (p. 103); that the service for the Fourth of July, to which he (White) was opposed, was arranged by Dr. Smith (p. 105).

²¹*Ibid.*, pp. 8-10.

it is important because of the influence which it exerted over later revisions.²² The leaders of the convention movement ranged in Churchmanship from decidedly low to middle-of-the-road, and the *Proposed Book* reflected their views, both in the freedom with which it deviated from the English book—in spite of the denial in its preface of an intention to depart from the usage of the Church of England “any farther than local circumstances require”—and in the character of the principal changes.²³

Bishop White's explanation for the radical departure from the conservative recommendation of the New York meeting of 1784 concerning the revision of the Prayer Book, is as follows:²⁴

“When the members of the convention first came together, very few, or rather, it is believed, none of them entertained thoughts of altering the liturgy, any further than to accomodate it to the revolution. There being no express authority to the purpose, the contrary was implied in the sending of deputies, on the ground of the recommendation and proposal from New York, which presumed that the book, with the above exception, should remain entire. The only Church to which this remark does not apply, is that of Virginia; which authorized its deputies to join in a review, liable however to a rejection by their own convention. Every one, so far as is here known, wished for alterations in the different offices. But it was thought at New York, in the preceding year, that such an enterprise could not be undertaken, until the Church should be consolidated and organized. Perhaps it would have been better, if the same opinion had been continued and acted on.

“But it happened otherwise. Some of the members hesitated at making the book so permanent, as it would have been by the fourth article of the recommendatory instrument. Arguments were held in favor of a review, from change of language, and from the notorious fact, that there were some matters universally held exceptionable, independently on doctrine. A moderate review, fell in with the sentiments and the wishes of every member. Added to all this, there gained ground a confident persuasion, that the general mind of the communion would be so gratified by it, as that acquiescence might be confidently expected. On these considerations, the matter was undertaken.”

²²*The Book of Common Prayer, and Administration of the Sacraments, and Other Rites and Ceremonies, as Revised and Proposed to the Use of the Protestant Episcopal Church, Philadelphia, 1785.* Cf. also, William McGarvey, *Liturgiae Americanae, Philadelphia, 1907, where the Proposed Book, the English book, and the American books of 1789 and 1892 are arranged in parallel columns.*

²³In 1873 the *Proposed Book* was adopted as the Prayer Book of the Reformed Episcopal Church.

²⁴White, *Memoirs*, 2nd Ed., pp. 102-103.

The most controversial of these changes were the omission of the Nicene and Athanasian Creeds, the deletion of the descensus clause from the Apostles' Creed, and the excision of the word "regenerate" from the Baptismal Service, except in the opening prayer, where it occurs in a scriptural context. Some of the rest were also of doctrinal significance, but others were merely modifications in language or arrangement. Certain expressions were modernized, "those who" being substituted for "them that" in several places, and "naughty" being replaced by "wicked." The words "priest" and "curate" in the rubrics were changed to "minister" and "pastor." All references to Satan were omitted, and a number of imprecatory passages were deleted.

In the service of Morning Prayer, two opening sentences were added to those already provided. The *Gloria Patria* was omitted at the end of the canticles, and of individual psalms, and the *Gloria in Excelsis*, in an abbreviated form, was printed as an alternative for it at the end of the whole selection of psalms. The last verse of the *Te Deum* was dropped, and the *Benedicite* was left out altogether. The second reading of the Lord's Prayer, before the versicles, was discontinued, and some of the versicles were dispensed with, as was the reading of the collect for the day, probably because it was then the prevailing practice to include the Ante-Communion Office in the morning service. The Litany was printed as a part of Morning Prayer, following the collect for grace, but was not materially altered from the English form, except in the state prayers.

In the Evening Prayer, a curious alteration was made in the collect for aid against perils, where "Lighten our darkness" was changed to "Enlighten our minds," apparently from a fear that the former expression might be taken literally. The prayer for all conditions of men and the general thanksgiving, not included in the English form of Evening Prayer, were added from the morning service.

A special prayer of thanksgiving was added for a woman after childbirth, to take the place of the service for the Churching of Women, which was omitted. The Communion Office, a service of warning and penitence for Ash Wednesday, was dropped because of its imprecatory character, but some of the penitential prayers from it were retained for use at the morning service on that day.

The Lord's Prayer and the Creed were both omitted from the Communion Service, and the *Gloria in Excelsis* was shortened by deleting the repetitive phrases. The requirement that those intending to receive communion must notify the minister the day before was discontinued.

In the baptismal service the changes which provoked most discussion were the omission of the word "regenerate," already mentioned, and the inclusion of a rubric permitting the disuse of the sign of the cross, if the sponsors objected to it. A more serious departure in principle was involved in the changing of the pledges given by the sponsors, who, instead of making promises on behalf of the child, merely vowed on their own account to see that he was brought up in the Christian faith. Principles, however, affect most people less than symbols, and this radical alteration actually attracted less attention at the time than the others did.

The relevant parts of the catechism and the confirmation service were changed to conform to the alterations in Baptism. In the catechism, the definition of the "inward part" of the sacrament of Holy Communion was also changed by altering the phrase "verily and indeed taken and received," to "spiritually taken and received," which was supposed to express more accurately the meaning intended.²⁵ The rubric requiring all persons confirmed to have a "Godfather, or a Godmother, as a witness of their Confirmation" was left out.

The little lecture on the nature of holy matrimony, which opens the English Marriage Service, was omitted, and so was the whole concluding part of the service, containing a psalm, some versicles, several prayers, and a final exhortation, thus giving the American service an abrupt and hurried character, which it still retains. The phrases, "I plight thee my troth" and "With my body I thee worship" were taken out, probably because they were thought obsolete.

The psalms used in the offices for the visitation of the sick and the burial of the dead, and other special services, were abbreviated by the omission of verses not considered directly relevant. The prayer in the burial office which immediately followed the Lord's Prayer was dropped, perhaps because its tone was thought to be too gloomy. Special services were added for use on the Fourth of July and Thanksgiving Day, and for the Visitation of Prisoners.

The revision being completed, White, Smith, and the Reverend Charles Wharton were appointed a committee to prepare it for publication, and were authorized "to make verbal and grammatical corrections; but in such manner, as that nothing in form or substance be altered," and to furnish a suitable preface.²⁶

The third great task of the convention was to obtain the episcopate from England. The Church in America already had one bishop, Samuel Seabury of Connecticut having been consecrated by the bishops

²⁵*McGarvey, op. cit.*, p. 304, n.

²⁶*General Convention, Journals, 1784-1814*, p. 15; *Correspondence in White Mss., Vol. I., and Smith Mss., Vol. II.*

of the Scottish Church in 1784. The consecration of others might have been secured from the same source, but to the leaders of the convention movement, it seemed preferable that the Episcopal Church in the United States should derive its succession from the Church of England, to which, in the words of the Prayer Book, she was "indebted, under God, for her first foundation and a long continuance of nursing care and protection."

Seabury's experience was helpful in obtaining this end. Before applying to the Scottish leaders, he had had a number of conferences with the Archbishops of Canterbury and York and the Bishop of London, in an effort to obtain the episcopal office in England. They gave him a number of reasons why they were unwilling to seek the necessary authority from parliament for his consecration, the most important being: that there was no official assurance that the act would not be objectionable to the civil authorities in Connecticut; that the laity had not concurred in his election, so that there was no certainty of his being received as a bishop; that his jurisdiction had not been clearly defined; and that no means had been provided for his support. These objections were reported to William Smith by Seabury after his return, and were taken into account in preparing the convention's plan.²⁷ Moreover, there is evidence that a fear lest the American Church should obtain its succession from the politically obnoxious Church in Scotland increased the readiness of the leaders of the Establishment to work out a plan for conferring that succession in England.²⁸

The plan as drafted by White and finally adopted, provided that the convention should address the archbishops and bishops of the Church of England and request them to consecrate such fit persons as might be elected bishops by the several states represented; that it should recommend to the state conventions to elect such persons, and to certify that they had been chosen by the laity as well as by the clergy and would be received by them as bishops on their return; that the deputies then assembled should petition their civil rulers for certificates of the legality of their application; and, finally, that, as the American bishops would have no temporal power, and as their "reputation and usefulness" would "considerably depend on their taking no higher titles or stile" than would be "due to their spiritual employments," they should be distinguished simply as "The Right Rev. A. B., Bishop of the Protestant Episcopal Church in C. D."²⁹ The plan did not deal

²⁷Seabury to Smith, Aug. 15, 1785, *White Mss.*, Vol. I. Cf. also, E. E. Beardsley, *Life and Correspondence of the Right Reverend Samuel Seabury, D. D.*, Boston, 1881, pp. 108-22.

²⁸Granville Sharp to Canterbury, Sept. 13, 1785 (copy), *Smith Mss.*, Vol. II.

²⁹General Convention, *Journals*, 1784-1814, pp. 11-12.

specifically with the problem of support, but that was provided for, as far as it could be in the impoverished condition of the Church, by the choice of bishops already settled in parochial cures.

The address to the archbishops and bishops of the Church of England,³⁰ also drafted by Dr. White³¹ and dated October 5, 1785, is one of the great "State" papers of this Church.

After stating that the "Clerical and Lay Deputies of the Protestant Episcopal Church in sundry of the United States of America, think it our duty to address your Lordships on a subject deeply interesting, not only to ourselves and those whom we represent, but, as we conceive, to the common cause of Christianity," the address points out that "our forefathers, when they left the land of their nativity, did not leave the bosom of that Church over which your Lordships now preside." Because of "veneration for Episcopal government" and "attachment to the admirable services of our Liturgy," and in spite of "many local inconveniences" to which they were subjected, "rather than break the unity of the Church to which they belonged," they "continued in willing connection with their ecclesiastical superiors in England."

When this part of the British empire became "free, sovereign, and independent, it became the most important concern of the members of our Communion to provide for its continuance." And while "that wise and liberal part of the system of the Church of England which excludes as well the claiming as the acknowledging of such spiritual subjection as may be inconsistent with the civil duties of her children;"

"it was nevertheless their earnest desire and resolution to retain the venerable form of Episcopal government handed down to them, as they conceive, from the time of the Apostles, and endeared to them by the remembrance of the holy Bishops of the primitive Church, of the blessed Martyrs who reformed the doctrine and worship of the Church of England, and of the many great and pious Prelates who have adorned that Church in every succeeding age."

"So diffused and unconnected were the members of our Communion over this extensive country," and so much time and negotiation were "necessary for the forming of a representative body," that "it was not until this Convention that sufficient powers could be procured for the addressing your Lordships on this subject."

"The petition which we offer your Venerable Body is—that from a tender regard to the religious interests of thousands in this rising empire, professing the same religious prin-

³⁰Perry, "Reprints of G. C. Journal", I., pp. 26-27.

³¹See above, footnote #20.

ciples with the Church of England, you will be pleased to confer the Episcopal character on such persons as shall be recommended by this Church in the several States here represented—full satisfaction being given of the sufficiency of the persons recommended, and of its being the intention of the general body of the Episcopalians in the said States respectively, to receive them in the quality of Bishops."

It was explained "that in these States there is a separation between the concerns of policy and those of religion;" that therefore "our civil rulers cannot officially join in the present application." They however do not apprehend any "opposition or even displeasure" from the political authorities; for "in this business we are justified by the Constitutions of the States," and extracts from the state constitutions are enclosed to prove it.

The address ends on a very high plane. Whether or not the petition is granted, the American Church is grateful for the past services of the archbishops and bishops of the Church of England and their predecessors, especially the Archbishops of Canterbury and the Bishops of London.

"All the Bishops of England with other distinguished characters, as well ecclesiastical as civil, have concurred in forming and carrying on the benevolent views of the Society for Propagating the Gospel in Foreign Parts: a Society to whom, under God, the prosperity of our Church is in an eminent degree to be ascribed. It is our earnest wish to be permitted to make, through your Lordships, this just acknowledgment to that venerable Society . . . the long succession of former benefits passes in review before us; we pray that our Church may be a lasting monument of the usefulness of so worthy a body; and that her sons may never cease to be kindly affectioned to the members of that Church, the Fathers of which have so tenderly watched over her infancy."

The appeal to the American authorities met with generous response. Governors Patrick Henry of Virginia and George Clinton of New York, and the governing council of Pennsylvania, furnished the desired certificates for their respective states,³² and the president of Congress, R. H. Lee, and the secretary of state for foreign affairs, John Jay, furnished them on behalf of the general government. Lee also wrote privately to his "near relation," the Bishop of Chester, in support of the measure, and John Adams, American minister to the Court of St. James, intervened unofficially in its favor.³³

³²W. S. Perry, *"Historical Notes and Documents,"* pp. 281-282.

³³Provoost to White, Oct. 25, 1785, and Apr. 4, 1786, and R. H. Lee to White, May 13, 1786, *White Mss.*, Vol. I.

These measures removed the objections previously entertained to the consecration of an American bishop, but the publication of the *Proposed Book* raised a fresh set of difficulties. Exaggerated rumors which reached England before any copies of the book itself arrived, caused the archbishops to fear that it represented a complete abandonment of traditional Christian orthodoxy, in favor of "Socinianism," or Unitarianism.³⁴ When they finally received a copy, through the good offices of Benjamin Franklin, they found it less radical than they feared, but they still felt that the omission of two of the ancient creeds and the alteration of the third represented a greater departure from the English liturgy than was required by "local circumstances." They also objected to the subjecting of a bishop to trial by his own convention, as was done by Article VIII of the constitution.³⁵

THE CONVENTION OF 1786

June 20-26 and October 10-11

There has been some disagreement as to whether the convention of 1786, or that of 1789, deserves to be called the first General Convention of the Church. In favor of that of 1789 it is urged that it was the first to contain a full representation of the Church in the United States and the first to have a House of Bishops, and that it gave the final ratification to the constitution. The arguments in favor of the convention of 1786 are that it was assembled in accordance with the provisions of the constitution, even if that document had not been formally ratified; that it began the triennial succession; and that, while it included representatives from only seven states, provision was made for the admission of others whenever they could be induced to come in.

The states represented in 1786 (New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and South Carolina) were all those outside of New England in which the Church had shown any signs of life at all. The absence of New England delegates was the result, partly of their distance from Philadelphia, where the convention met, but chiefly of their dislike of some of the fundamental principles and of their uncertainty as to the attitude which the convention would take toward Bishop Seabury.

Though there were a few radicals among its members who professed to doubt the validity of Seabury's orders, and would have closed

³⁴Alexander Murray to White, Dec. 26, 1785, and June 8, 1786; Jacob Duche to White, Jan. 30, 1786, *White Mss.*, Vol. I; Granville Sharp to Benjamin Franklin, Aug. 19, 1786, *Smith Mss.*, Vol. II.; William White, *The Past and the Future, a Charge on Events Connected with the Organization of the Protestant Episcopal Church*, Philadelphia, 1834, p. 8.

³⁵*General Convention, Journals, 1784-1814*, pp. 32-33, 35.

the door to his reception entirely, the more conservative leaders sincerely desired his ultimate admission, in order that the Church might be united throughout the country, and had urged his attendance in 1786.³⁶ Nevertheless, they were probably relieved by his absence in that year, since it enabled them to proceed with less embarrassment in their plan for obtaining the succession from England. They seem, moreover, to have suspected—perhaps with some justification—that Seabury was disposed to extend his jurisdiction beyond the boundaries of Connecticut, at least until the other states had bishops.³⁷

Seabury, on his part, objected to the failure of the constitution to provide for the presidency of a bishop at the convention; to the representation of the laity in Church government; to the subjection of bishops to trial by their own conventions, and to many of the changes of the *Proposed Book*.³⁸ He and his followers held that the reorganization of the Church should have been made to wait upon the obtaining of bishops, and that Connecticut, having secured its bishop first, should be allowed to lead in the formation of a general government. Those who participated in the convention movement held that the organization must come first, as a practical necessity, in view of the conditions under which the Church existed in most of the states, and that those who had worked out a plan of organization should have the palm of leadership.

Two measures were introduced by the radicals in the General Convention of 1786 which would have made any union with the Church in Connecticut impossible if they had been adopted. The first of them, proposed by the Reverend Robert Smith of South Carolina, had an innocent sound. It merely provided that the clergy present should "produce their letters of orders, or declare by whom they were ordained," but, as there was at least one minister present (the Reverend Joseph Pilmore of Pennsylvania) who had been ordained by Seabury, this would have brought the whole question of Seabury's consecration before the convention. The second proposal, also put forward by Robert Smith, and seconded by Provoost, was more specific. It was, "That this Convention will resolve to do no act that shall imply the validity of ordinations made by Dr. Seabury." Debate on both of these resolutions was shut off by the moving of the previous question by William Smith, seconded by White, and they were defeated. On

³⁶Samuel Parker to White, Sept. 14, 1785, and Seabury to White, Jan. 8, 1786, *White Mss.*, Vol. I.; W. S. Perry, "The Life, Times, and Correspondence of Bishop White," *Church Review*, Mar., 1887-Jan., 1888, p. 600.

³⁷William Smith to Seabury (draft, undated), *White Mss.*, Vol. II.

³⁸Seabury to White, Aug. 19, 1785, and Jan. 8, 1786, and Parker to White, Sept. 14, 1785, *White Mss.*, Vol. I.

the second, the vote was recorded by states. New York, New Jersey, and South Carolina voted aye. Pennsylvania, Delaware, Maryland and Virginia voted no.³⁹

The defeat of these proposals left the door open to Seabury, but two other resolutions, which were passed unanimously, suggest that it was not the intention of even the more conservative leaders to leave it open very wide. The first of these, introduced by White, recommended to the states in union with the convention, "not to receive to the pastoral charge within their respective limits, Clergymen professing canonical subjection to any Bishop, in any state or country, other than those Bishops who may be duly settled in the states represented in this Convention." The second, introduced by Robert Smith, recommended to the same states, not to admit any persons who received ordination from any bishop residing in America, while the application to the English bishops was pending.⁴⁰

The communication received from the English bishops, in answer to the address sent to them by the convention of 1785, stated that the design of conferring the episcopate on America was "not likely to receive any discountenance from the civil powers" and that the bishops would do their best to secure the necessary authority from Parliament, but that, though they had not yet any official report of the changes in the ecclesiastical system, they had heard disquieting rumors concerning them, and must wait for assurance that the American Church had not departed from the doctrine and discipline of the Church of England in any essential point, before they finally consented to the desired consecration.⁴¹ The convention, in reply, assured their lordships that no such departure had been intended, and expressed the conviction that a perusal of the proposed constitution and liturgy would show that none had been made.⁴²

A number of changes were made in the constitution, some of them obviously designed to meet objections expressed in England and Connecticut. It was provided that a bishop should always preside over General Convention whenever one was present. A member of the episcopal order must always be present at the trial of a bishop, and none but a bishop could pronounce sentence of deposition against any clergyman. The *Proposed Book* was authorized for use in any states which might approve it, "till further provision is made in this case, by the first General Convention which shall assemble with sufficient power

³⁹*General Convention, Journals, 1784-1814, pp. 19, 21.*

⁴⁰*Ibid., pp. 22-3.*

⁴¹*Ibid., pp. 19-20. This letter was signed by Canterbury and York and eighteen bishops.*

⁴²*Ibid., pp. 27-28.*

to ratify a Book of Common Prayer for the Church in these states." Provision was made for the examination of candidates for ordination, the date for the meeting of General Convention was changed, and the final ratification of the constitution was left to a future session.⁴³

As the completion of measures for obtaining the episcopate must await a definite reply from the English bishops, the convention appointed a committee of correspondence, with power to call a special meeting whenever a majority thought it necessary, and then, after resolving that its next meeting should be held in Wilmington, Delaware, adjourned.⁴⁴

The committee, having received from the Archbishops a statement of the conditions on which they would be willing to consecrate American bishops, and information of the passage of an act of Parliament authorizing such consecration, called the convention to reassemble on October 10th, 1786. The requirements laid down by the archbishops showed both a sympathetic regard for the problems of the American Church, and a conscientious desire to safeguard the dignity and integrity of the episcopate. As the candidates sent over could not be well known to those who were to consecrate them, they were to be furnished with testimonials both from the General Convention and from their diocesan conventions. The former need only certify that the signers knew no serious defect in the candidate in respect to either doctrine or morals, and no just impediment to his consecration. The latter was to contain a positive declaration that the members of the convention had known the bishop-elect for at least three years and believed him to be sufficient in good learning, virtue and orthodoxy for the office to which he was chosen.

As to the candidates' own declaration of belief, the archbishops expressed themselves as satisfied with the form of subscription required by the constitution, but they earnestly exhorted the convention to restore at least the Apostles' Creed to its integrity before the declaration was signed, and they expressed the hope that the other two creeds would be reinstated, even if their use was made optional, and that the eighth article of the constitution would be modified. This address, though signed only by Canterbury and York, had been prepared after consultation with fifteen bishops who were then in London. In a very real sense, the conferring of the succession upon the American Church may be said to have been the act of the entire English episcopate.⁴⁵

After hearing this communication, the convention proceeded to go as far as its members felt that they conscientiously could in meeting

⁴³*General Convention, Journals, 1784-1814*, pp. 22-26.

⁴⁴*Ibid.*, pp. 26, 29.

⁴⁵*Ibid.*, pp. 32-38.

the wishes expressed in it. The descensus clause was restored to the Apostles' Creed, and the Nicene Creed was replaced in the liturgy, but the Athanasian Creed was still rejected, and no further change was made in Article VIII. A brief address was sent to the archbishops, thanking them for their assistance, and calling attention to these changes.⁴⁶

The meeting then called upon the several delegations to know if any states had chosen candidates for the episcopate. New York reported the election of the Reverend Samuel Provoost, and Pennsylvania, of the Reverend William White, and it was learned that Virginia had chosen the Reverend David Griffith, though no deputation from that state was present at the adjourned session. Testimonials for these three were accordingly signed.⁴⁷

Maryland had elected William Smith bishop as early as 1783, and the election had not been rescinded, but the deputies to General Convention were unwilling to sign his testimonials because of a charge that he had been intoxicated at the convention of 1784. Whether or not the charge was true it is impossible to say at this distance. It was believed by many who were present in 1784, but it did not prevent Smith's being called later to positions of trust and importance. Probably it was felt that the men sent to England should be, like Caesar's wife, above suspicion.⁴⁸

One of the three whose testimonials were signed was also destined never to receive consecration. David Griffith failed to obtain sufficient cooperation from either the standing committee or the convention in Virginia to make it possible for him to go to England.⁴⁹ White and Provoost sailed shortly after the convention adjourned and were consecrated on February 4th, 1787, by the Archbishop of Canterbury, assisted by the Archbishop of York, and the Bishops of Bath and Wells, and of Peterborough.⁵⁰

AFTERMATH OF THE CONVENTION OF 1786

The consecration of two instead of three bishops in the English line proved a source of embarrassment to those who desired the union of the Church. It naturally led to suggestions that the two should unite with Seabury to consecrate a fourth bishop and such proposals

⁴⁶*General Conventions, Journals, 1784-1814*, pp. 41-42.

⁴⁷*Ibid.*, pp. 43-44.

⁴⁸*Correspondence on the subject in White Mss., Vol. I.; H. W. Smith, Life and Correspondence of the Rev. William Smith, D. D., Philadelphia, 1880, Vol. II., pp. 100, 450-55; Perry, White, p. 472.*

⁴⁹*Letters of Griffith to White during 1786 and later, White Mss., Vol. II.*

⁵⁰*General Convention, Journals, 1784-1814*, p. 47.

were bound to meet with outspoken opposition from Provoost, who had been one of Seabury's most bitter opponents in the convention of 1786. Being a Low Churchman, with Latitudinarian leanings,⁵¹ he objected to the High Churchmanship of the Bishop of Connecticut. He also disliked his politics, having been an ardent Whig during the Revolution, in which Seabury had been an equally ardent Tory, and he looked upon the Non-Jurors, from whom Seabury derived his orders, as a sect "whose slavish and absurd tenets were a disgrace to humanity."⁵²

White, though he earnestly desired the union of the Church throughout the country, desired an English succession almost as earnestly, and professed to regard himself as under an implied promise to the archbishops not to unite in any episcopal act with the Bishop of Connecticut until the English line was completed by the consecration of a third bishop.⁵³

During the two years and a half that elapsed between the consecration of White and Provoost and the General Convention of 1789, the question of the ultimate union of the Church remained in suspense. When the two bishops returned to America, Seabury made a final attempt to assert his leadership by inviting them to confer with him on the affairs of the Church. Provoost never replied to his letter at all. White answered politely, but in such a way as to make it clear that the final settlement of ecclesiastical questions must be left to General Convention.⁵⁴

Seabury and the other Connecticut clergy and their friends in England continued to exchange letters with White, but without definite result. The correspondence is chiefly important as showing a growing anxiety on their side lest Connecticut should be left out of the union, and an increasing recognition that she could not hope to come in upon her own terms. One of their most copious writers, the Reverend Jeremiah Leaning, at times becomes almost hysterical, accusing Dr. Joseph Priestly and other unlikely persons of plotting against the union of the Church.⁵⁵

White, on his part, concerned himself principally with trying to overcome the passive resistance of the Virginia standing committee so as to secure the consecration of Dr. Griffith, and complete the English succession. In the end it was, perhaps, fortunate that he did not suc-

⁵¹*Provoost to White, June 10, 1786, White Mss., Vol. I.*

⁵²*Beardsley, op. cit., p. 254.*

⁵³*White to Seabury, Aug. 11, 1789, (draft), White Mss., Vol. II.*

⁵⁴*Seabury to White, May 1, 1787, White Mss., Vol. II.; Beardsley, op. cit., pp. 300-3.*

⁵⁵*White Mss., Vol. II.; Beardsley, op. cit., pp. 293-355.*

ceed, for Griffith died early in August, 1789, and so would not have been able to serve the Church as bishop had he been consecrated.⁵⁶

THE GENERAL CONVENTION OF 1789

July 28-August 8 and September 29-October 16

The General Convention of 1789, at its opening session, included delegations from the same seven states that had been represented in 1785 and 1786. Bishop Provoost was prevented by illness from attending. He had endeavored to tie the hands of the New York deputation by having them instructed not to accept any changes in the constitution or take any steps which might "endanger the preservation of the succession of our Bishops in the English line,"⁵⁷ but they refused to treat these instructions as binding. The most influential representative from New York in Provoost's absence was the Reverend Benjamin Moore, who, as it happened, had been one of the signers of Seabury's testimonials, when he went to seek consecration,⁵⁸ and the other members of the deputation were sincerely anxious to see the Church united.

This sentiment, in fact, prevailed throughout the convention, and, while there was an evident resolution not to depart in any essential respect from the principles already agreed upon, there was also a clearly manifested readiness to make any concessions not involving such a departure which might reconcile the Churchmen of New England to the constitution. Understanding from letters written by him to White and William Smith that the Bishop of Connecticut felt that doubt had been cast by the last convention upon the validity of his orders, the deputies present unanimously resolved, "That it is the opinion of this Convention, that the consecration of the Right Rev. Dr. Seabury to the episcopal office is valid."⁵⁹

The diocese of Massachusetts, in an endeavor to unite the two parts of the Church, had presented a petition asking Bishops Seabury, White and Provoost to unite in consecrating the Reverend Edward Bass, rector at Newbury, as its bishop. When this request was communicated to the General Convention, it resolved, "That a complete order of Bishops, derived as well under the English as the Scots line of Episcopacy doth now subsist within the United States of America." White and Provoost were requested to unite with Seabury in the desired consecration, and if either of them felt any delicacy about doing so, in consequence of any supposed commitment to the English archbishops,

⁵⁶*General Convention, Journals, 1784-1814, p. 52.*

⁵⁷*Provoost to White, Aug. 26, Sept. 7, and Sept. 24, White Mss., Vol. II.*

⁵⁸*Beardsley, op. cit., opp. 80, ff.*

⁵⁹*General Convention, Journals, 1784-1814, p. 51.*

the convention itself would endeavor to have the difficulty removed.⁶⁰

The constitution was revised again and given final approval. Most of the changes were concessions to the New England position, the general principle followed being that of allowing as much freedom as possible, upon disputed points, to the individual diocese. Thus, though it was still provided that each state should be entitled to representation in both orders, it was stipulated that a state which neglected or declined to elect delegates in more than one order should still be regarded as properly represented and entitled to vote. The make-up of the state conventions was left to local decision. The mode of trying the clergy had always been left to diocesan authority, by the much disputed Article VIII, and the principle of this article, which now became number six, was not changed, though its language was.

It was also provided that, when there were three bishops in union with General Convention, they should form a separate "house of revision," which could veto but not originate legislation, and whose negative could be overridden by a vote of three-fifths of the deputies. Whatever Prayer Book might be established by this or a succeeding General Convention was to be binding upon all the states subject to the constitution, and the constitution itself was not to be altered except by the action of two successive General Conventions.⁶¹

A small body of canons, covering the most essential points, was also adopted. Then, after appointing a committee to correspond with the archbishops, the diocese of Massachusetts, and Bishop Seabury, as might be necessary, the convention adjourned until the 29th of September, when it was hoped that delegates from New England would be present. The committee promptly wrote to Seabury urging his attendance at the adjourned meeting, their invitation being seconded by personal letters from White and William Smith, and received by return mail the gratifying news that he would come.⁶²

When the convention reassembled, Seabury was present, with the Reverend Bela Hubbard and the Reverend Abraham Jarvis as deputies from Connecticut; and the Reverend Samuel Parker was in attendance as deputy from both Massachusetts and New Hampshire. The meeting, after going into committee of the whole on the subject of union with the "eastern churches," resolved that the constitution was still open to amendment by the present body in virtue of the powers lodged

⁶⁰*General Convention, Journals, 1784-1814, pp. 49-50, 53-64.*

⁶¹*Ibid.*, pp. 61-63.

⁶²*Committee to Seabury, Aug. 16, 1789 (draft), and Smith to Seabury same date (draft), Smith Mss., Vol. II.; White to Seabury, Aug. 11, 1789 (draft) and Seabury to White, Aug. 27, 1789, White Mss., Vol. II.*

in its members when elected, and appointed a committee to confer with the New England delegation.

The committee reported that the easterners would have no objection to the present constitution if the House of Bishops was made a fully coordinate branch of the legislature. An amendment was promptly passed which, though it did not meet this specification entirely, went a long way toward doing so. The bishops were given the power of originating legislation, and the majority required to override their veto was raised to four-fifths. With this concession the New Englanders were satisfied, and on October 2nd, 1789, they subscribed to the constitution.

Bishop Provoost was still absent, because of ill health, but as there were now three bishops legally in union with the Convention, the constitutional requirement was fulfilled, and so Seabury and White withdrew to form the first House of Bishops. William Smith was elected first president of the House of Deputies.⁶³

The chief business that remained was the revision of the liturgy, and to this task the two houses now devoted themselves. They proceeded, officially, as though there were no Prayer Book of the Church in existence, though their work was actually based upon the English Book of Common Prayer as revised in 1785. The deputies appointed committees "to prepare a calendar, and tables of lessons . . . to prepare a morning and evening service . . . to prepare a Litany," etc., and both houses voted on the services in their entirety when they were revised.⁶⁴

Some of the changes proposed in 1785 were rejected, but many were retained, and fresh alterations were made in a number of places where the *Proposed Book* had followed the English form. With respect to the deviations which had excited most controversy, a compromise was adopted. The Nicene Creed was restored, but its use was made optional. The descensus clause was replaced in the Apostles' Creed, but with a rubric permitting its omission.⁶⁵ The word "regenerate" was restored to the baptismal service, but the permission to omit the sign of the cross was continued, though a declaration was added to the effect that, "the Church knows no worthy cause of scruple concerning the same." The Athanasian Creed was still left out.⁶⁶

In the service of Morning Prayer, this new revision added the

⁶³*General Convention, Journals, 1784-1814, pp. 71-75.*

⁶⁴*Ibid.*, pp. 78-93.

⁶⁵It was at first, through a misunderstanding, printed in italics, and between brackets, but this was later corrected. Seabury to White, Nov. 1, 1789, and Mar. 29, 1790, White Mss., Vols. II and III.

⁶⁶Cf. any edition of the Prayer Book between 1789 and 1892, or McGarvey, *op. cit.*

absolution from the Communion Office as an alternative to the one already provided. It altered the *Venite* to its present form by dropping the last four verses of psalm ninety-five and adding two verses from psalm ninety-six. It restored the *Benedicite*, but reversed the order of the *Benedictus* and *Jubilate*, and shortened the former to four verses. The Nicene Creed was printed as an alternative to the Apostles' Creed, an innovation in this book. The versicles were shortened even more than in 1785. The Litany was returned to its separate position, but not otherwise altered in any important respect.

The *Magnificat* and *Nunc Dimittis* were omitted from the evening service, and psalms ninety-two and 103 added in their place. The versicles were shortened, as in the Morning Prayer, and all reference to enlightenment was left out of the collect for aid against perils. The second prayer for use in time of famine and the prayer for use in time of "any common Plague or Sickness" were omitted from the special prayers, but the latter was replaced by a prayer considered more suitable to modern belief, and new prayers were added for a sick person, for a sick child, for persons going to sea, for persons under affliction, and for condemned criminals. The Commination Office was not restored.

The Lord's Prayer was replaced at the beginning of the Communion Service, and the word "priest" was put back in some of the rubrics of that service, but not in others, a distinction being maintained between those parts which should be read by the priest only, and those which might be read by a deacon. The Summary of the Law was added after the Ten Commandments, a borrowing from the usage of the Non-Jurors, and the collect which begins, "Oh, Almighty Lord . . ." was moved up from the end of the service to a place just before the collect for the day. Some phrases retained in the *Proposed Book* were omitted from the exhortation to repentance. The Oblation and Invocation were added from the Scottish book, to please Bishop Seabury, the Invocation being joined to the prayer, now printed as a separate paragraph, that begins, "And we earnestly desire . . .", which was a slightly altered form of the prayer that immediately followed the reception in the English book.

In the baptismal office the promises of the sponsors were given their traditional form, and the catechism and confirmation service changed to correspond with this restoration. In the marriage service a small part of the introductory discourse was put back, but otherwise the service was left as in the *Proposed Book*. The provision for private confession, in the Visitation of the Sick, retained in the *Proposed Book*, was left out; the psalm was still further shortened, and some special prayers were added at the end. The service for the Churching

of Women was restored. The services for the visitation of prisoners and for Thanksgiving Day, introduced in the Proposed Book, were retained, but the service for Independence Day was not. A service for family prayer was added.

When the convention adjourned, after completing this revision, it left the Church united in one body throughout the country, with a constitution and liturgy finally approved and established. The ecclesiastical system thus set up represented a compromise between the views of the convention of 1785 and those of the Connecticut party, but with the former clearly predominating—so much so, indeed, that the Connecticut leaders expressed some dissatisfaction with the outcome.⁶⁷

It should, perhaps, be added, that the consecration of Dr. Bass did not take place as planned. James Madison, elected Bishop of Virginia to replace Dr. Griffith, went to England for consecration. After his return, the four bishops united in the elevation of Thomas John Claggett, Bishop-elect of Maryland, to the episcopate. This was the only consecration in which Seabury participated.⁶⁸

⁶⁷*Seabury to White, Mar. 29, 1790, White Mss., Vol. III.*

⁶⁸*Seabury to White, Sept. 1, 1790, White Mss., Vol. III.; General Convention, Journals, 1784-1814, pp. 127-28.*

CONSTITUTIONAL DEVELOPMENTS SINCE 1789

By Percy Varney Norwood

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PARALLELS have been frequently observed between the structure of our national government and the polity of our American Church. Both are the outcome of a federative process—in one case, the union of sovereign states antecedently existing; in the other, the union of Churches already organized within the several states. The history of both shows a delicate balance, sometimes even a tension, between central and local authority; and only slowly have the centripetal tendencies gained ascendancy over the centrifugal, as a sense of national unity has developed to meet the tasks and problems of an expanding country and an expanding Church. Like the citizen, the American Churchman lives under a duality of law and administration, and like him becomes ever more conscious of the pressure of centralized authority. We bow to it because we see its inevitability if the work of tomorrow is to be done.

Both were the product of the "horse and buggy" age of nascent Americanism, with its determination to build a new democracy in this new world with scant regard for the traditional patterns and precedents of the old; with its firm faith in the principle of representative government—that what touches all should be approved by all; with its distrust of over-centralization or over-concentration of power in the hands of any one man or one set of men. Each adopted, as if moved by a common spirit, a written Constitution of paramount law. Each was adapted, initially, to a relatively simple society living along the Atlantic seaboard, and only through pain and travail became accommodated to the needs of a vast continent. Not for a half-century did

**For any extended study of the legislative history of the American Church the Journals of the General Convention are of course indispensable. For the Conventions from 1785 to 1835, these are most accessible in Bishop William Stevens Perry's Reprints, 3 vols., published by order of the Convention (1874).*

Equally indispensable is Dr. E. A. White's monumental annotated edition of the Constitution and Canons (1924).

Of older books the most important are: Bishop White's Memoirs of the Protestant Episcopal Church (1836). (I have used the De Costa edition of 1880.) F. L. Hawks, The Constitution and Canons (1841). Murray Hoffman, Law of the Church (1850).

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the Church give serious consideration to the great hinterland already opening up beyond the Alleghanies; and to this day we are reaping the bitter fruit of our early negligence. The federal government, be it noted, was never thus neglectful of its territories.

Upon closer scrutiny, the "parallels" are seen to be rough rather than exact or even approximate. The Constitution of the United States is *ex professo* a compact entered into by the several states, amendable only by action of the states. Powers not delegated to the federal government, or prohibited to the states, "are reserved to the states respectively, or to the people."¹ The Congress legislates only within the sphere prescribed, explicitly or implicitly, by the Constitution, and there still exists an agency to pass upon the constitutionality of legislative acts. With the Church it is otherwise. The power of amendment rests with the General Convention itself, under certain conditions. To be sure, the ecclesiastical Constitution of 1789 was obviously adopted through some degree of compromise; and a compact was no doubt implied. The steady refusal to sanction proportionate representation in the House of Deputies seems to indicate the sense that a moral compact is to be recognized in this matter.²

Further, General Convention has repeatedly legislated by canon on points not covered by, nor implied in, the Constitution; and at a subsequent date some of this legislation has been incorporated in the Constitution. The Church has no Supreme Court to pass upon the constitutionality of its canons, and it has been generally held by canonists that the Convention has ample authority to legislate on all matters pertaining to the Church's well-being, provided always the canons are consonant with the Constitution (i. e., not in conflict therewith).

Again, the federal Constitution has acquired, as it were, a sacrosanct character, its text preserved unchanged since 1787. The amendments adopted since the Bill of Rights (1791) can almost be checked off on the fingers of two hands. Its expansion has come in the main through liberal interpretation of the "implied powers" it confers upon the central government. The Church, on the contrary, has freely and frequently altered her written Constitution, redrafted it in the closing years of the last century, and has made significant changes since that time. Indeed, for many years prior to 1901 it was customary to append to the Constitution a set of notes on the "history of alterations," to facilitate the study of its development.

It should be understood, then, that our ecclesiastical Constitution

¹Article X of the Bill of Rights.

²*Journals*, 1877, p. 97; 1883, pp. 210, 270; 1916, pp. 228, 319. E. A. White, p. 23ff.

is far less like our federal Constitution than it is like the Constitution of the French Republic or the fundamental laws of certain European countries: the skeletal structure of its government and polity, to be implemented by canon, and differing from the canons primarily in respect to its mode of enactment and alterations. In the words of the late Dr. E. A. White, the distinguished expositor of our Church law: "The truth is that the Constitution of the General Convention is not the Constitution of the Church, nor is it a Constitution in the true sense of the word, but only a higher set of canons made more stable. . . . The General Convention legislates in ecclesiastical matters without let or hindrance, except so far as restrained by the limitations of the Constitution."³

Nothing is more characteristic of our American Church system of administration than the Standing Committees. These grew up largely outside the framework of general Church law; their powers were repeatedly enlarged by canon; yet until the revision of 1901 one looks in vain for more than incidental reference to them in the Constitution. Doubtless they came into being in the several 'states' to meet various practical needs. They are presumably (Connecticut an exception) an expression of our characteristic American distrust of over-concentration of authority. As their practical value became more evident, legislation more and more took cognizance of them and widened their competence, until today the bishops are bound to seek their consent in many important matters. Eventually they were given constitutional status. Similarly, the Presiding Bishop did not appear, except incidentally, in the Constitution before 1901. Even now, the National Council, which has been called the most revolutionary forward-step in our polity since 1789, is quite unknown to the Constitution and might be abolished over night by a single Convention. It should be clear, then, that the history of the Constitution cannot be treated apart from the ordinary canonical legislation of the Church in General Convention.

The history of legislation in the American Church since 1789 falls naturally into three periods, marked off respectively by the great "missionary Convention" of 1835, and the thorough revision initiated in 1892 and completed in 1901-04.

I. 1789-1835

It will be remembered that the ecclesiastical Constitution as finally adopted in 1789 contained a provision (in Article III) that the House of Deputies might, by a four-fifths vote, over-ride the Bishops' nega-

³*Annotated edition of the Constitution and Canons, p. 118.*

tive. Bp. White⁴ informs us that this was retained to satisfy Virginian suspicion of prelacy, much to the dislike of the New England High Churchmen, and that for the sake of union the "eastern gentlemen acquiesced, but reluctantly, in the compromise." Certainly this unwarranted affront to the rights of the episcopate was far from reflecting the mind of the Church at large; and in 1792 the Deputies, after considerable debate, took the initiative in proposing repeal of the objectionable clause.⁵ In the next Convention (1795), however, the Bishops, strange as it may seem, expressed themselves as satisfied with the legislative powers of their House as fixed by the third article of the Constitution.⁶ Since the Bishops seemed content, nothing further was done until 1804, when the Deputies again proposed an amendment giving a full negative to the other House. This time the Bishops concurred.⁷ The Convention of 1808 ratified the amendment by a vote which in the Deputies would have been unanimous, but for a curious circumstance connected with the Pennsylvania lay delegates.⁸

However, the House of Bishops did not at this time acquire fully co-ordinate legislative power, because of the "three days rule", which remained in force until the revision of 1901.

"In all cases the House of Bishops shall signify to the Convention their approbation or disapprobation (the latter in writing) within three days after the proposed act shall have been reported to them for concurrence; and in failure thereof it shall have the operation of a law." (Const., Art. III, 1789-1901.)

Several times the Deputies refused to consider the abrogation of this rule, giving as their reason that since the House of Bishops chose to meet behind closed doors they (the Deputies) could in no other way know what consideration—if any—had been given to measures passed by them.⁹

The other salutary amendment made during this first period was that of adding a new paragraph to the Article on the Prayer Book (VIII) to safeguard the liturgy against the assaults of passing whim and fancy by requiring alterations to be approved by two successive General Conventions. Here again it was the House of Deputies that took the initiative in the Convention of 1808.¹⁰ The amendment was

⁴*Memoirs, De Costa edition, p. 169.*

⁵*Perry, Reprints, Vol. I, pp. 153, 166.*

⁶*Ibid., p. 202. In this connection Bp. White has an interesting observation, Memoirs, p. 233.*

⁷*Ibid., pp. 302, 312.*

⁸*Ibid., pp. 341, 353.*

⁹*Gen. Conv. Journals: 1877, pp. 114 f.; 1886, p. 274.*

¹⁰*Perry, Reprints, Vol I, p. 346.*

ratified in 1811.¹¹ In 1829 this requirement was extended to cover the Articles of Religion. As applied to the Prayer Book, the amendment, literally construed, proved too rigorous. Accordingly, in 1877 the lectionary tables were exempt from its provision; and in 1922 the "Tables and Rubrics relating to the Psalms." In 1904 another proviso recognized the right of bishops to take order for special forms of worship supplementing the Prayer Book.

The above includes all the constitutional changes made prior to 1835, save for occasional tinkering with the time and place of meeting of the Convention. One gets the impression of a Church cautiously feeling its way, rather than of one awake to tasks and responsibilities that were already fast becoming tremendous with the westward expansion of the country. One of the material amendments was an act of belated justice to the episcopate, the other a matter of ordinary prudence.

II. 1835-1892

A person more familiar with traditional ecclesiastical terminology than with the history of the American Church would probably be surprised, were he to look at our legislation as it stood in the early years of the nineteenth century, to find the words *State* and *Church in each State*, where one would expect *Diocese*. While the canons were beginning to employ the usual canonical terms, the Constitution, until 1835-1838, used the former words consistently; the latter (*Diocese*) only in one place, to connote the area of a bishop's jurisdiction. Nothing could indicate more clearly the mind and outlook of our founding fathers, or the limitations under which the national Church operated for the first half-century. The Episcopal Church in America began its organized national existence as a union of Churches in the several States, each with its own organization and legislative body already effected.

A Protestant Episcopal Church in any of the United States not now represented, may . . . be admitted, on acceding to this Constitution. (Article V, Constitution of 1789.)

That a "diocese" should be other than co-extensive with a State was quite below the horizon of the framers of the Constitution. To be sure, Churchmen in a new state might organize, form a Convention, and apply for admission into union with the national Church—if, that is, somebody had the force to take the initiative, as happened in Ohio as early as 1818, and in Illinois, Tennessee, and Kentucky somewhat

¹¹ *Perry, Reprints, Vol. I, pp. 377, 389.*

later. But as for pressing out into the great Northwest and Southwest, little could be done beyond sending an occasional missionary where prospects seemed reasonably bright.

Resolutions of the House of Bishops in 1817, shortly prior to the establishment of the Missionary Society (1821), illuminate the situation as it then was.¹²

"A lively interest in the spiritual concerns of their brethren in the western country . . . solicitous to extend among them the ministrations of our Church"

"That it be recommended to the Episcopal congregations in the States . . . where Conventions are not already organized, to organize Conventions, which may be received into union with this Convention."

"Resolved: That though the measure of a Convention comprising sundry States in the western country may be a measure of temporary expediency, it can not be authorized by the Convention, consistently with the general Constitution of the Church, which recognizes only a Convention of the Church in each State."

The Church's missionary work and normal westward extension were thus seriously hampered by the "federal principle," which, however natural in 1789, was quite out-moded by the third decade of the nineteenth century. Nor was this all. Under Bishop Hobart's vigorous administration the Church in the "Empire State" had grown to a point beyond the power of a single bishop to administer, beyond the point where, in the days of slow means of communication, a single Convention could adequately represent it.

The General Convention of 1835 is more significant, on the whole, than any other in the Church's history—a fitting climax to the venerable White's long and honorable career as Presiding Bishop. It marks the beginning of a new and vigorous missionary policy, by which the hampering federal principle was at long last discarded. It is not implied that the Convention at any time doubted its possession of sufficient authority to act beyond the bounds of the organized states, or to extend the episcopate to the frontier. Nevertheless, it is true that vision and sense of missionary responsibility were slow in awakening, and that up to this time no provision had been made, either financial or legislative, for aggressive advance. The reorganization of the Missionary Society, to make it coextensive with the Church's baptized mem-

¹²Perry, *Reprints*, Vol. I, p. 448.

bership, took care of the former lack, while two far-reaching legislative measures of the 1835 Convention gave the Church for the first time adequate machinery for her continental task.

(1) Constitutional changes to provide for the division of a state-diocese.

Very properly, it was Bishop B. T. Onderdonk of New York, burdened with the charge of an impossibly large jurisdiction for which some relief must be found, who introduced into the House of Bishops a resolution¹³ calling for the appointment of a joint committee to consider what alterations could be made in the Constitution and canons "in order to authorize the division of any existing Diocese, or the erection of new Dioceses, less in extent than a State or Territory, and also to enable a Diocese . . . to have an Assistant Bishop" by reason of its territorial extent.

The committee's report¹⁴ rejected the proposal for Assistant Bishops as "not expedient"; but recommended that the fifth Article of the Constitution should be expanded to read:

A Protestant Episcopal Church in any of the United States, or any territory thereof, not now represented, may at any time hereafter be admitted, on acceding to this Constitution; and new dioceses to be formed from one or more existing dioceses may be admitted under the following restrictions . . .

Such a change would necessarily involve alterations in the terminology of the Constitution to bring it into harmony with the new provision. It was therefore also proposed by the committee that the word *State* (or *States*) should be replaced by the word *Diocese* (or *Dioceses*).

During consideration of this recommendation in the House of Bishops a paragraph was added with a specific reference to New York. This the Deputies very properly rejected,¹⁵ since it is sound canonical theory that Church law should be, as far as possible, couched in terms of general application. With this action the Bishops concurred, and the amendment was proposed for ratification in 1838, in which year it was formally enacted, and the division of New York followed forthwith.¹⁶

(2) A new canon on Missionary Bishops.

On the third day of the Convention, Dr. Cook, a lay deputy from Kentucky, introduced a resolution:¹⁷

¹³Perry, *Reprints*, Vol. II., p. 650.

¹⁴*Ibid.*, p. 657.

¹⁵*Ibid.*, p. 622.

¹⁶See Perry, Vol. II., pp. 698 ff. for the alterations in detail. The Article was slightly changed in 1856.

¹⁷*Ibid.*, Vol. II., p. 569.

That the Committee on Canons be instructed to inquire into the expediency of preparing a Canon to authorize the consecration of a Bishop for each of the States and Territories . . . which are now destitute.

On the same day Mr. Edward A. Newton, of Massachusetts, introduced a similar resolution relating to the consecration of "a Bishop or Bishops, to serve as Missionary Bishops in foreign countries."¹⁸

These resolutions were subsequently transferred to the consideration of a special committee.¹⁹ The very interesting report of this committee, reviewing the past missionary policy of the Church and proposing a canon for both Domestic and Foreign Missionary Bishops, is printed in full in the *Journal*.²⁰ In the course of debate the canon drafted by the committee was verbally but not essentially altered, and in that form adopted.²¹ The Bishops made further amendments;²² a committee on conference was appointed, which adjusted differences between the two Houses; and on September first the new canon (Missionary Bishops) was adopted.

Then, promptly, after an interval of silent prayer, the Bishops proceeded to the nomination of Dr. Francis L. Hawks for the State of Louisiana and the Territories of Florida and Arkansas; and Dr. Jackson Kemper for Missouri and Indiana.²³

Owing to the lateness of the session the Bishops felt it inexpedient, though convinced of the importance of the matter, to "enter upon a measure involving consequences so momentous" as the nomination of a Bishop for China.²⁴

Truly, the first day of September, 1835, is one to be held in honor by all who are concerned for the good name of our Church in the field of missionary enterprise. A long-standing reproach had at last been removed. It may be noted in passing that until 1901 the *Constitution* contained no reference whatever to Missionary Bishops.

The sixth Article of the Constitution of 1789 provided that

In every State the mode of trying Clergymen shall be instituted by the Convention of the Church therein. At every trial of a Bishop there shall be one or more of the Episcopal Order present: and none but a Bishop shall pronounce sentence. . . .

¹⁸*Perry, Reprints, Vol. II., p. 569.*

¹⁹*Ibid., p. 570.*

²⁰*Ibid., pp. 625-626.*

²¹*Ibid., pp. 631-635.*

²²*Ibid., p. 671.*

²³*Ibid., pp. 675f.*

²⁴*Ibid., p. 676.*

This subjected a Bishop to trial before his own diocese, even though he is clearly an officer of the whole Church, as other canonical provisions recognize. But even so, it was an improvement upon the corresponding Article in the Constitution of 1785, to which the New England High Churchmen had so strenuously and properly objected, in that it did provide for the participation of one or more bishops in every episcopal trial. Further, it seemed to violate both the principles of canon law and the old English legal maxim that every man has a right to be tried by his peers. Those who magnified the Bishop's office reasonably resented it as unjust and an unwarranted indignity to the episcopate. In 1838, therefore, Bishop Doane of New Jersey introduced an amendment to transfer procedure against Bishops to the jurisdiction of the General Convention, by adding at the beginning of Article VI

The mode of trying a Bishop shall be provided by General Convention. The court appointed for that purpose shall be composed of Bishops only.²⁵

When this amendment, certainly by all Catholic standards one in the right direction, was ratified in 1841 it was implemented by a canon (drafted by that competent canonist, Bishop Hopkins of Vermont), in which, however, considerable changes were made a few years later. Through a peculiar train of circumstances, this determination "to make the trial of a bishop hard" was followed within a few years by more episcopal trials than we have had before or since. They were the more distressing because of the evident ability and leadership of those accused in the heat of party controversy, and, ironically, no one of the bishops tried would probably have been convicted by his own diocesan convention.

Although the canon of 1835 on Missionary Bishops provided for the extension of the episcopate "out of the territory of the United States," when three years later the House of Bishops nominated to Liberia, the Deputies refused to concur, on the ground that it was not expedient to elect such a bishop until his rights and authority had been better defined. In 1841, the request of the Church in the Republic of Texas for a bishop or bishops to oversee that large area, met the same fate and for the same reasons.²⁶ However, in 1841, a new Article (X) of the Constitution²⁷ was introduced by Bishop H. U. Onderdonk of Pennsylvania, seconded by Bishop Otey of Tennessee, to empower the

²⁵*Journal*, 1838, pp. 115f, 167.

²⁶*White*, p. 43; *G. C. Journal*, 1841; Pp. 74-77; 113-114; 125-126; 135; 152-155.

²⁷*Journal*, p. 132.

consecration of "Bishops for foreign countries, on application of a Church therein . . ." This was enacted in 1844. It obviously has no reference to Missionary Bishops as such, but to the consecration of Bishops for foreign Churches of Catholic Order (as in the then Republic of Texas) applying to us to supply them with the episcopate under a concordat. It has been resorted to for the consecration of Bp. Holly, for Haiti (1874); Bp. Riley, for Mexico (1879); and Bp. L. L. Kinsolving, for Brazil (1899). The first Foreign Missionary Bishops were consecrated for China and Turkey in 1844, under the canon of 1835.

The only other material amendment prior to the revision of 1892-1901 was an alteration in Article II, defining more exactly the composition of the House of Deputies by requiring Lay Deputies to be "Communicants in this Church and resident in the Diocese" represented. This was enacted in 1853-56. During the revision of 1901 this matter was further defined by prescribing, for the first time, that Clerical Deputies must be *Presbyters*. By this action deacons were expressly excluded from seats in the Convention.²⁸

The secession of the southern states subjected the Constitution to a peculiar strain. The southern dioceses, upon their premises, acted quite logically in holding that since their states had withdrawn from the federal Union to form a sister nation—that since for them the United States no longer existed unbroken—they were amply justified in withdrawing from the Church in the United States to form the Church of the Confederacy. Equally logical was the Northern Church in insisting that since the federal Union is indestructible, and the right of secession not to be admitted, the southern dioceses were still *de jure* parts of the national Church, though for the time *de facto* separated from it by the fortunes of war. It is well known that at the Convention of 1862 the southern dioceses were included in the roll-call. Before the next Convention met the issue had been settled by the harsh arbitrament of war; and with rare understanding and forbearance on both sides—to the lasting glory of the Episcopal Church—the southern brethren came and were welcomed back with none of the scandals of reconstruction.

One delicate constitutional problem arising out of the secession of the Southern Church was tactfully solved. During the course of the war the Rt. Rev. Richard H. Wilmer had been elected and consecrated Bishop of Alabama, without the "consents" required under the Constitution, or the canonical promise of conformity. Obviously, from the southern point of view these consents need not have been

²⁸*White, Const. and Canons, p. 13.*

asked or the pledge given; while from the northern viewpoint Alabama was still bound to the Constitution. What, then, was Bishop Wilmer's canonical status? The Convention of 1865, satisfied of the validity of his consecration, and expressly declaring that this unusual course should not establish a precedent, waived "examination of the circumstances occasioning certain canonical irregularities," and gave belated consent to his exercise of the episcopate on condition of his subscribing to the Promise of Conformity. The Deputies, one notes, were disposed to be somewhat more exacting than the House of Bishops.²⁹

III. 1892-1937

An expanding institution tends to become increasingly complex as it accumulates agencies and machinery differing in age, pattern, and efficiency. Growing legal systems, in particular, require periodic recodification to bring them into self-consistency. For a century the American Church had been extending its *corpus juris* by enactments, constitutional and canonical, of varying date and character. Moreover, the growing Church had created a number of agencies—boards and standing commissions—and these not coordinated or controlled except through a Convention meeting triennially. The machinery was lagging behind the heavier demands more and more put upon it, not adequate to the needs of new times or the quickening tempo of American life.

After the Civil War the Church was for a while distracted by party tension in the ceremonial controversy, then immersed in the centennial revision of the Prayer Book. No sooner was this absorbing task completed than the Convention embarked upon the no less arduous undertaking of carrying through a comprehensive revision of her legislation, some of it a century old. Begun in 1892, and completed in 1901-04 (most of it in the former year), it made more momentous and extensive changes in the Constitution than had been made in the more than one hundred years preceding, and introduced into our fundamental law a number of items hitherto provided only by canon. The years following have seen the incorporation into the Constitution of a provision for Suffragan Bishop (1910), hitherto prohibited, and one for an elective Presiding Bishop (1919); together with the creation, by canon only, of the National Council to co-ordinate various agencies through a permanent administrative body under the Presiding Bishop as executive head of the Church's work.

²⁹*Journal*, 1865, pp. 57, 156, 168.

(a) THE REVISION OF 1892-1904

It was the indefatigable Arthur Cleveland Coxe, Bishop of Western New York, who brought the project before the Convention through a resolution to create a Joint Commission for the revision of the Constitution and Canons, "for the purpose (1) of rendering them more entirely harmonious and freeing them from ambiguities; (2) of adapting them to the great enlargement and growth of the Church; and (3) of clothing them with such accuracy and precision of language as shall relieve the Digest from the technical objections which are made by accomplished jurists and canonists to the phraseology of the existing Digest."³⁰ On reference, the committee on canons recommended a Commission of seven in each order.³¹

When created, the Commission, chosen with evident care, included the Bishops of Connecticut (the Presiding Bishop), Western New York, Albany, Kentucky, Quincy, New York, Maryland;³² and among the clerical Deputies, Dean Hoffman of the General Seminary, Dr. William J. Seabury, Dr. Stone of Pennsylvania, Dr. Kinloch Nelson of Virginia, with Dr. Hall Harrison as its Secretary.³³ Its membership changed considerably before the completion of its task. Bishop Coxe was removed by death during the course of revision. To it were referred various canonical measures pending before the Convention, among them a projected canon on Suffragan Bishops, hitherto forbidden.

For the Convention of 1895 the Commission printed a report, the result of twenty-eight days of work, containing a complete redraft of the Constitution and canons, preceded by a *Declaration* which identified the Church as "an integral portion of the One Holy Catholic and Apostolic Church" and stated its doctrinal position in terms which clearly echo the Chicago-Lambeth Quadrilateral of a few years previous.³⁴

It would be tedious and unprofitable to trace the course of deliberations on the proposed new Constitution, save to note that the *Declaration* was rejected; an attempt to change the title of Presiding Bishop to *Primate* (or *Primus*) was voted "inexpedient"; the proposal of the Commission, warmly championed by Bishop Coxe, to substitute *General Synod* for *General Convention* failed to carry in the Deputies after the adoption by the Bishops; and that the term *Assistant Bishop* was changed to *Bishop Coadjutor*.³⁵

³⁰*Journal*, 1892, p. 47.

³¹*Ibid.*, p. 50.

³²*Ibid.*, p. 133.

³³*Ibid.*, p. 144.

³⁴See *Journal*, 1895, App. XVI.

³⁵*Journal*, 1895, *passim*.

By 1895 the new Article I (replacing the first three of the old Constitution) was completed and approved for ratification,³⁶ under the title: "Constitutions and canons for the Government of that Portion of the Catholic Church known in Law as the Protestant Episcopal Church in the United States of America." When final action was taken in 1898 this title, like the *Declaration*, was sacrificed to conservatism.

The other ten Articles were perfected and proposed for adoption in 1898.³⁷ When they came up for ratification in the next Convention, Article V (New Dioceses) and a rider to Article X (approving the temporary use of other forms of worship "by congregations not in union with this Church who are willing to accept the spiritual oversight of a Bishop of the Church") failed of adoption in that form. However, a new draft of Article V was substituted; and this was ratified in 1904.³⁸ An innocuous substitute for the second proviso in Article X was also passed and duly ratified.

So much for the history of the revision. What about the new Constitution itself? A comparison with the old shows that Articles IV (Standing Committee), VI (Missionary Districts), and VII (Provinces) are altogether new, while most of the other Articles with the exception of VIII (Requirements for Ordination, which remained virtually unchanged) were materially expanded or altered.

Standing Committees had been recognized in the sixth canon of 1789 (when there were bishops in three states only) for the sole purpose of recommending to the Bishop candidates for holy orders. Such committees had already been set up in some of the states to meet various needs, especially where the episcopate had not yet been secured, to act between conventions in the state, or to consult with the Bishop. In a sense they were felt to be more essential—at least temporarily—to the state organizations than the episcopate itself, since the latter could be "borrowed" as needed. Says Judge Hoffman, "These bodies arose from the necessities of the Church and were the organs of government, where as yet there was no Bishop, during the recess of the Convention."³⁹ In Maryland and Connecticut they were clerical bodies, and this is still true of the latter diocese. The canon of 1789 required their appointment where they were not already provided. The 24th canon of 1808 made them for the first time a council of advice to the Bishop, while the revised canons of 1832 constituted them the ecclesiastical authority in the absence of a bishop. This had been a

³⁶*Journal, App. XXI.*

³⁷*Journal, App. XIV.*

³⁸*Journal, 1901, App. XVI.*

³⁹*Law of the Church, p. 212.*

most natural evolution. The first constitutional enactment on Standing Committees came in 1901, when the substance of the former canon was incorporated in the Constitution as Article IV and presently implemented by a canon (now 53) prescribing their duties.⁴⁰ An obviously fitting amendment of 1919 provided that a Bishop Coadjutor or a Suffragan might be made the ecclesiastical authority in the absence or incapacity of the Diocesan.

Missionary Districts had in fact been created from time to time—although that precise term was not used prior to 1901—under the canon of 1835. But until the revision of the Constitution “there was not a single word in the Constitution regarding Missions or Missionary Bishops, nor the slightest hint of any power granted to the General Convention to enact canons on that subject. And yet for nearly seventy years . . . Missionary Bishops had been elected under the provisions of canons.”⁴¹ The Convention had always acted upon the assumption that it possessed ample competence to meet all the needs of the Church’s task without specific sanction from the Constitution. It was perhaps the considerable expansion of our national domain in consequence of the war with Spain that induced the revisers to make constitutional provision for the missionary episcopate—and certainly the addition came at an opportune moment when the Church was on the verge of a decided extension in the Pacific and the Caribbean—but quite apart from this the subject is one of such capital importance as to deserve the constitutional status given it under Article VI.⁴²

Provinces. With the rapid westward expansion of the country, and the multiplication of dioceses resulting therefrom, problems arose out of the mounting membership of the General Convention. Relief for such an unwieldy body might perhaps be had through some form of provincial organization; which, by the way, Bishop White had in a sense envisaged in his *Case of the Episcopal Churches Considered*, just at the close of the Revolution. As early as 1850, Bishop De Lancey of Western New York introduced a resolution calling for the appointment of a joint committee to consider “the expediency of arranging the Dioceses, according to geographical position, into four provinces . . . to be united under a General Convention or Council of Provinces, having exclusive control over the Prayer Book, Offices, Articles, and Homilies,” and meeting every twenty years (!).⁴³ The Bishops adopted this resolution, then receded. The Deputies deferred action.

In 1865 the matter was again brought before the Convention, on

⁴⁰*White, Const. and Canons*, pp. 46ff., 852 ff.

⁴¹*Ibid.*, p. 381.

⁴²*Cf. White*, pp. 73 ff.

⁴³*Journal*, 1850, p. 146.

memorials from New York and Pennsylvania—the former urging the creation of Provinces, the latter advocating legislation to encourage the formation of Federate Councils in states having two or more dioceses. The Committee to which these resolutions were referred reported adversely on the provincial system, but favorably with regard to Federate Councils as tending to preserve something of the original unity within the state. A canon to provide for the setting up of such councils was passed by the Deputies, but the Bishops failed to act.⁴⁴ When the "Upper" House considered it in 1868, it was at first lost by a tie vote, then approved on reconsideration and roll call. At least one state acted under the terms of this canon, for after the division of Illinois in 1877 a "Province of Illinois" was formed. From 1868 on, the subject of Provinces was apparently brought to the attention of nearly every Convention in one form or another, its advocates undismayed by the evident hostility of the more conservative group.⁴⁵ In 1874 a committee of the Deputies rendered a severely condemnatory report, in which the opinion was expressed that "such a system would dismember the Church, and out of this new compact and united body create five or seven or ten separate Churches." They predicted that the provincial plan would lead to "fearful consequences in the future, reaching far down the coming ages." The implication is that provinces are a foreign importation, alien to American ideas and traditions, and having no legitimate place in the social structure of the new world.⁴⁶

By 1892 a different view was being taken. A special joint committee that had been studying the matter over a triennium reported that they had been "impressed more and more with its (i. e., provincial system) intrinsic importance to the prosperity of the Church . . . and by an evident conviction in the public mind that some decisive action . . . ought to be taken . . . without delay." Appeal was made to the historical and hierarchical evolution of the Catholic Church as well as to considerations of practical efficiency.⁴⁷

The subject of Provinces was thereupon referred to the Constitutional Commission. It is interesting to note that the House of Bishops sponsored an amendment to the Constitution to create five or more Provinces, each under an Archbishop.⁴⁸ This proving too radical, the matter was eventually enacted in vague and general terms (Article VII of 1901), with a proviso that no Diocese shall be included in a Province without its own consent. The implementing canon (now 52) was not

⁴⁴*Journal*, pp. 28, 72.

⁴⁵*Cf. the lengthy report in Journal*, 1868, App. V.

⁴⁶*Journal*, p. 150.

⁴⁷*Ibid.*, p. 344.

⁴⁸*Journal*, 1895, pp. 44, 237.

passed until 1913, earlier attempts having failed to secure concurrence, chiefly through the conservatism or trepidation of the laity.

The Church has not in fact been disrupted, nor the powers of General Convention diminished. Those who fear the provincial system are free to maintain that this is so only because, up to now, the Provinces have been given such limited authority. On the other hand, it may be cogently argued that the further development of this system, now arrested, is one of the major problems confronting the Church in a country so vast and so diversified as ours.

In the old Constitution the regulations concerning the General Convention had been distributed among the first three Articles. The revision threw these together in a new first Article, with its seven sections, and made their content more precise. The substantial changes effected were: (1) Abrogation of the "three days rule" to give the House of Bishop fully co-ordinate power in legislation. (2) Reference to Bishops Coadjutor and Missionary Bishops in section two (§2), on the constituency of the House of Bishops. (3) In section four (§4) the clerical deputies are defined as Presbyters. (4) In the same section permission is given to the Convention to reduce the size of delegations to two in each order if deemed expedient. This was obviously done to dispel alarm at the growth of membership in the House of Deputies. (5) Section six (§6) gives representation, hitherto unprovided for, to Missionary Districts "within the boundaries of the United States," subject to a single important limitation (now in process of removal) with respect to vote by orders. By interpretation this provision is defined to apply to "all the territory and possessions within the jurisdiction of the United States." In 1907 membership in the House of Deputies was extended to delegates of the American Churches in Europe; and in 1913 to representatives of Foreign Missionary Districts. Thus we have had a little "ecumenical movement" of our own.

The second Article (Bishops) was largely expanded and made more exact. A proviso added to section one (§1) in 1904 allows a Missionary Bishop to become Bishop of a Diocese erected therefrom, should he so elect. Section two (§2) of this Article, on canonical age of Bishops and on consents to elections, etc., had previously been regulated by canon only. The same holds true of the last section, on resignation. This was enacted to read, "A Bishop may not resign his jurisdiction without the consent of the House of Bishops." In 1922 was added: "or without the consent of the Bishops of the Province . . . in either case under conditions provided by the Canons of the General Convention." Three years later the added words were struck out during the raid on the provincial system, presumably on the ground

that no provision had in fact been canonically made for resignation to comprovincials.

Article III (Bishops for Foreign Lands) corresponds to the old Article ten. The last sentence of the Article as it now appears was added in 1922.

The history of Article V (New Dioceses), corresponding to the old Article of the same number, is rather involved.⁴⁹ During the revision it gave particular trouble, for which reason it was not enacted with the rest of the Constitution in 1901, but held over until the next Convention. It is considerably more detailed than its predecessor. Here, as elsewhere, *Bishop Coadjutor* replaces *Assistant Bishop*. Specific provision is made for the erection of a Diocese out of a Missionary District. The most striking departure from the old Article is in the reduction of the lower limit of size (§6) from fifteen parishes and presbyters to six, thus facilitating the division of large but sparsely settled areas. Where formerly an existing Diocese might not be reduced below thirty parishes and twenty presbyters, the limit is now twelve in each case. It may be questioned whether the limits thus fixed are not too low. However, the new section seven (§7), which provides that no new Diocese is to be erected until sufficient support of the Episcopate has been assured, to some degree guards against the real danger of too many weak jurisdictions.

The Article on Requisites for Ordination (VIII) retained almost the exact wording of its antecedent until 1919, when the words *in this Church* were added at two points to bring it into conformity with the so-called Concordat Canon 11.

Article IX (Courts) for the first time makes provision for the setting up of Courts of Review and an ultimate Court of Appeal for the determination of questions of doctrine, faith, or worship. The former provision has been implemented by Canons 29 and 32. The contemplated Court of Appeal has not yet been erected, as little need for it has so far appeared.

The Articles on Prayer Book and on Amendments are strengthened by requiring alterations to be voted on by orders. Participation in Prayer Book revision was in 1937 extended to deputies from Domestic Missionary Districts. Similar participation in constitutional alterations will presumably be granted in 1940.

The Article on Amendments in the old Constitution was so worded as to seem to some authorities to imply that alterations ought to be

⁴⁹*White, Const. and Canons*, pp. 57 ff.

passed upon by the several diocesan conventions, and ratified by (or *in*) the General Convention only when so approved. About the middle of the last century a sharp difference of opinion on this point appeared between Dr. F. L. Hawks⁵⁰ and Judge Murray Hoffman.⁵¹ The issue centered upon the respective rights of state or diocesan and General Conventions. In the spirit of a state rights man, Dr. Hawks argued valiantly in behalf of the interpretation indicated above. Judge Hoffman countered with equal ability and more legal cogency to maintain the full competency of the General Convention itself in respect to amendments. The Article as revised in 1901 was so rephrased as to free it from ambiguity, and thus to remove it from the field of controversy.⁵²

(b) SINCE 1904

Because of the caution and conservatism which has always been recognized as typical of the Episcopal Church, especially when in Convention assembled, neither the first Prayer Book revision, nor the legislative recodification that followed upon its heels, reached its objective. Some most desirable reforms were postponed; to be realized, in the one case by a second and more thorough liturgical revision, in the other by significant constitutional developments within the past thirty years.

(1) *Suffragans*. In 1829, after the Kemp case in Maryland and the Meade case in Virginia, a canon was enacted to prohibit the election of Suffragan Bishops or of more than one Assistant Bishop in a Diocese; and giving that one Assistant assured right of succession. Agitation to remove this prohibition began in the Convention of 1871, when a proposed canon on Suffragans was buried in committee.⁵³ From that time on it continued more or less vigorously, and was among the matters considered by the Constitutional Commission while revising the code. Not until 1910, however, was the new section four (§4) of Article II added to the Constitution to permit the election of one or more Suffragans without vote in the House of Bishops or right of succession. The amendment appears to have been made largely in the interest of the Church's work among colored people in the South. A canon (15) of the same Convention implemented the new section. The dignity of the office was enhanced by another amendment, in 1919, to

⁵⁰*Constitution and Canons*, pp. 41 ff.

⁵¹*Law of the Church*, pp. 172 ff.

⁵²The matter is well discussed by E. A. White, annotated edition of *Const. and Canons*, pp. 106 ff. The controversy is of historical interest as revealing something of the spirit of the time in which it was waged.

⁵³*Journal*, p. 119.

allow a vacant Diocese to make its Suffragan its temporary ecclesiastical authority.⁵⁴

The question is still hotly debated in some quarters whether or not Suffragans should have votes as well as seats in the House of Bishops. The present restriction has been obviously embarrassing in the few cases where a Missionary Bishop has become a Suffragan.

(2) A "*Presiding Bishop*" is a natural necessity to take the chair in the House of Bishops, and for such matters as consecrations, etc. In early days his duties were quite light outside of Convention time. The old Constitution made mention of the office in the first and tenth Articles, without anywhere prescribing its qualifications. Indeed, until 1901, the person of the Presiding Bishop was determined not even by canon, but only by a rule of order of the House of Bishops which, except for a short period, designated the Senior Bishop as presiding. This strange omission was remedied in the revision of 1901 by the insertion of a new section three (§3) in the first Article, recognizing the Senior Bishop in order of consecration, having jurisdiction within the United States, as the Presiding Bishop. It was at the time suggested that he be designated as *Primus* or *Primate*, but this proposal was defeated.

Back in 1887, the vigorous and forthright John Williams, of Connecticut, then Presiding Bishop by seniority, in addressing a special meeting of the House of Bishops, asked that consideration be given to a change in their rules of order. He pointed out that the existing arrangement, whereby a bishop always bound to be advanced in years, and not unlikely to be infirm in health, presided over the increasingly complicated affairs of the Church, was "not only unwise but almost cruel."⁵⁵ If cruel to the aged holder of the office, it was no less unfair to the Church itself. The House appointed the five senior bishops to consider the communication; and in 1889 the Convention took measures to relieve the Presiding Bishop of some of the burdens of his office. But this failed adequately to meet the situation, and in 1892 Bishop Williams again spoke his mind,⁵⁶ expressing the hope that "some action may be taken by this House to end such an anomalous state of things." The result was as before, and no more satisfactory.

During the revision the question was raised by the Presiding Bishop in 1901, Thomas March Clark of Rhode Island, who expressed himself much as his predecessor had done and urged the House of

⁵⁴Cf. *Journal*, 1916, pp. 56 ff. The history of Suffragans is well treated in White, annotated edition of *Const. and Canons*, pp. 33 ff., 185 ff.

⁵⁵*Journal*, 1889, p. 538.

⁵⁶*Journal*, p. 12.

Bishops to consider making the office elective.⁵⁷ The Convention of that year did approve an amendment to Article I of the Constitution to provide for an elected Presiding Bishop, but in 1904 the House of Bishops reversed their stand and refused ratification.⁵⁸ The matter continued on an uneven course, with disagreements appearing between the two Houses, until 1916, when the amendment (Art. I, sec. 3) was approved, and finally ratified three years later, with an implementing canon (now 17), subsequently somewhat altered.⁵⁹

This decided forward step, all too long delayed, made it possible for the Church to have—at long last—an executive head under whom its various agencies, boards, and commissions, heretofore functioning in practical independence, could be co-ordinated and supervised, and its work pressed aggressively between sessions of the General Convention. The Convention which provided for an elective Presiding Bishop created by canon (now, in amended form, 60) a National Council—this precise term was at first not used—following in the main the very significant report of a Commission on Missionary Reorganization made in 1916.⁶⁰ Toward the drafting of this canon the three great boards—Missions, Religious Education, and Social Service—made useful contribution in the light of their experience. Thus, after more than a century and a quarter of drifting and hesitation, the Church found itself with a coherent and reasonably efficient system of central administration functioning through the Departments of the National Council under the Presiding Bishop as its chief executive. Since its inception we have become decidedly more conscious of the national Church than we were before—as anyone thinking back will realize on a moment's reflection—just as since the World War we have become increasingly aware of the outreach of our national government. For good or ill, we no longer have that practical diocesan or parochial autonomy which was once ours; for the centralization in the general Church was speedily emulated in the dioceses by the formation of Diocesan Councils. On the whole, the results have more than justified a step which at the time some people regarded as both revolutionary and dangerous—the setting up of a *curia* and congregations in our once democratic Church. As compared with our old ways of doing things, it represents—though by no means perfect—a “streamlining” of the Church for tomorrow's tasks.

Some of the most important constitutional matters confronting the Convention in the past decade have related to the status of the

⁵⁷*Journal*, 1901, p. 15.

⁵⁸*Journal*, p. 45.

⁵⁹*Cf. White*, pp. 20f.

⁶⁰*Journal*, 1916, App. XV.

Presiding Bishop. Article I, sec. 3, has been so amended as no longer to restrict the choice to a bishop having jurisdiction within the United States, and to prevent devolution of the office upon the Senior Bishop (as was the provision in 1919) in the event the Presiding Bishop should die or resign during his term of office. Under the present provision it becomes the duty of the Senior Bishop to summon a special meeting of the House of Bishops "immediately" to fill the vacancy until the next Convention. The procedure (Canon 17) in electing has likewise been refined to secure participation by the Deputies.

Again, should the Presiding Bishop be given a fixed see—or a fancy title? Or should the provincial system—now largely impotent—be made really effective, as recommended by the Joint Committee on the subject in 1937?⁶¹ To follow *all* of these arresting recommendations would seem more truly radical and revolutionary than any step hitherto taken and reverse the course of development in recent years, for it would shift the center of gravity from the general Church administration to the Provinces—perhaps to a form of metropolitan organization under several Archbishops. Yet through such a plan each region could work out with intimate knowledge of the facts and close-range observation its peculiar problems; presumably, therefore, with greater intelligence and efficiency. The provincial system can hardly be judged on its past performance, for so far it has had little chance to show its merits. Ere long we shall probably have to face the alternative between continued centralization or some metropolitan scheme, possibly with Archbishops and translations and legislating Synods and a reduction of the functions of General Convention and National Council.

CONCLUSION

Looking back over the legislation of the last hundred years, it becomes clear that during the first half of the period the dominating motivation was missionary: to provide adequately for the Church's expansion at home and abroad. During the last fifty years the dominant consideration has been administrative smoothness: either through a working central executive or through provincial decentralization, and through a more elaborate judicature.

Beginning as a young Church in a young land, we have evolved a form of polity in some respects unique and of truly American pattern. While our organization has become increasingly elaborate in the interest of efficiency in doing the work of the Kingdom of God, we have kept our terminology surprisingly simple. We have not—individuals excepted—been obsessed with the idea of conforming to patterns wrought

⁶¹*Journal*, App. XXV. Cf. *Journal*, 1925, App. XXI.

out in the old world and in times long past. It remains to be seen whether we shall eventually conform, or whether the traditions of our pioneer days will continue to prevail, while adapted in particulars to the needs of the future. It is not without significance that the most persistent pressure in favor of some form of provincial organization seems to have come, in the main, not from the supposedly Anglophile Atlantic seaboard, but from the mid-continent, where something of the frontier spirit of independence still survives. With the center of Episcopalian population in the neighborhood of Harrisburg while the national population center is only a few hours' drive east and south of Chicago, Churchmen in the West may well regard it as a matter of highest practical expediency to counteract, somehow, our present centralization in the vicinity of Manhattan or Washington. Nomenclature and antiquarianisms play a very small part in the agitation for provinces.